Theologia Moralis

Volume VIII

Book Five: On human acts, conscience, law and sins; with the beginning of the treatise on the Sacraments (Baptism and Confirmation)

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[*Latin ed. p. 9*]

BOOK FIFTH OF MORAL THEOLOGY. CONCERNING THE REASON FOR KNOWING AND DISCERNING SINS. PRELIMINARY TREATISE. ON HUMAN ACTS IN GENERAL.

It does not seem fitting to me, benevolent reader, that, while writing about moral theology, which is entirely directed towards practice, I should present to you a treatise on human acts filled with scholastic questions; but rather, desiring to serve your soul and your salvation, I intend to select only those things which, in this matter, are considered most useful and also necessary for practice. Would I not, if I did otherwise, waste both oil and effort in elaborating such things, and would you not waste your time in vain by reading such useless matters? Therefore, I beg you not to expect this treatise to be complete in all respects, as those things which are more useful and yet sufficiently comprehensive remain. However, I have applied the greatest diligence in selecting those doctrines with which...

[*Latin ed. p. 10*]

I strive to be beneficial, not detrimental, to the progress of souls. Therefore, I believe that we should not depart from the sound doctrine of the Angelic Doctor, where it can be found; for with him as our guide, we proceed with a safe step in matters of theology. Let the FIRST ARTICLE be: ON THE NATURE AND MULTIFOLD DIVISION OF HUMAN ACTIONS.

I. A human act, taken in its strictest sense, can be defined as an act proceeding deliberately from the will of a man. For, as St. Thomas states in *Summa Theologica*, 1-2, question 1, article 1, "Those actions alone are properly called human, of which man is the master; and man is the master of his own actions through reason and will." Therefore, those actions are properly called human which proceed from deliberate will. For an action to be human and moral, it is necessary that it be understood and that it be performed freely; if either of these is lacking, either through involuntary ignorance or through coercion, it is more aptly called mechanical than moral.

II. Hence, it follows that all actions which do not proceed from the deliberate will of a man are commonly called actions *of* a man, not human actions.

III. Human actions are divided in many ways. Some are called elicited acts, others are called commanded acts. Of these, some are said to be good, and some are said to be...

[*Latin ed. p. 11*]

Truly, evils are of different kinds. Some are natural, others supernatural. Of the supernatural, some are meritorious, either in a proper sense, or in a congruent sense. Finally, some human actions are interior, while others are exterior. We shall discuss these individually.

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IV. A human act is said to be elicited when it proceeds immediately from the will; such are love and hatred. An act is said to be commanded when it proceeds from the will mediately; such as walking, speaking, writing, etc., which proceed from the will commanding other powers, namely the motive powers, to elicit such acts. These acts, whether elicited or commanded, are, by the very fact that they proceed freely from the will, called moral acts, that is, good or evil. They are called good which are in conformity with right reason; those which are not in conformity are called evil. Natural good acts are those which can be accomplished solely by the powers of nature; supernatural acts, on the other hand, can only be elicited with the help of grace; such as the acts of faith, hope, and love, etc. Acts are meritorious in a proper sense when, by justice, a reward is due; those which are meritorious in a congruent sense are those which merit only a reward by reason of propriety. Finally, interior acts are not manifested by any perceptible sign; exterior acts, on the other hand, are manifested externally.

V. Having noted these things, we must now speak of the intrinsic principles of human actions. There are three such principles: namely, intellect, will, and freedom. The intellect flows into...

[*Latin ed. p. 12*]

A moral action is performed through conscience, or the knowledge of the action and the law. Therefore, in the treatise on conscience, more is said about understanding. Now, it remains to speak of the voluntary and involuntary, and then of the free will, which are the more fundamental principles of human actions. Hence, ARTICLE SECOND. ON THE VOLUNTARY AND INVOLUNTARY, AND THEIR CAUSES. § I. WHAT THE VOLUNTARY IS, AND IN HOW MANY WAYS IT IS SO. VI. IT IS TO BE NOTED that this term, "voluntary," is sometimes taken in the same sense as "spontaneous," meaning that it is done freely and from the inclination of the will, without being compelled by a precept or by fear, force, or deceit. But truly, one thing is voluntary, and another is spontaneous. For every voluntary act is spontaneous, but not conversely, every spontaneous act is voluntary: sometimes "voluntary" is taken to mean "free"; although not every voluntary act is free, although every free act is voluntary. Finally, it is taken in another sense, in which we define and discuss it. VII. A voluntary act can be defined as: an act proceeding from an internal principle, or from the will, with the knowledge of the end. Thus, St. Thomas [Summa Theologica] 1. 2.

[*Latin ed. p. 13*]

Q. 6. A. 1. Following Gregory of Nyssa, Damascene, whom he himself praises; Gonet, *Moral Theology*, Vol. 3, Tractate 2, Chapter 1, Section 1; Silv., Salm., Conc., Tourn., and others, generally. Therefore, two things are necessary to constitute a voluntary act, namely, that it proceeds from an

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internal principle and with some knowledge of the end. VIII. From this, it follows that: 1. Those actions which proceed only from an internal principle, such as those which are done by force and are compelled, are not said to be voluntary. 2. Similarly, all actions which proceed from an internal principle but without any knowledge of the intellect cannot be called voluntary. 3. In order that an action may be considered entirely voluntary, it is necessary that it be known according to all its parts and circumstances; if any of these are ignored, the action is not considered voluntary with regard to that ignored circumstance. Thus, he who approaches a woman whom he does not know to be married does not commit the sin of adultery, but rather the sin of simple fornication, since he is involuntary with regard to the circumstance of marriage which he does not know. 4. It follows that where there is no awareness, there is no voluntary act, and therefore no sin; as happens in the actions of those who are sleeping, which are simply involuntary. Where there is only partial awareness, there is a semi-voluntary act, and only a venial sin, as happens with those who are half-asleep.

[*Latin ed. p. 14*]

IX. The will is divided in many ways by theologians: 1. either into the will simply and into the will according to what it is. The former proceeds from the full inclination of the will without any opposition; the latter proceeds indeed from the consent of the will, but with opposition. An example of this is the throwing of goods into the sea out of fear of shipwreck. 2. It is also divided either into the free, or contingent, will and into the necessary will. The former is from a will that acts with indifference to willing or not willing. Such is the love of a traveler for God. The latter is from a will determined to one thing, as is the love of the blessed for their homeland. Gonet, in the work cited, teaches, contrary to Vasquez, that the reason for the will is more clearly found in necessary acts than in free acts. The reason is because the greater the love, the greater the will, that is, the greater the inclination of the will and the greater the knowledge of the intellect. Such is the necessary love of God for Himself, or the love of the blessed, with which they strive entirely towards God. 3. It is also divided either into the will in itself, or expressed, and into the will in the cause, and implicit, or virtual. The will in itself is that which is willed in itself and immediately; as when someone steals, because he has in himself the will to steal. The will in the cause, however, is that which is not willed in itself, but in another, which is apprehended, at least confusedly, as the cause of something.

[*Latin ed. p. 15*]

Effect. In this manner, the voluntary killing of a person, committed by one who voluntarily intoxicated himself, is said to occur, even if he only vaguely foresaw such a killing. It is divided into the fourth category, which is further subdivided into direct and indirect voluntariness. The former

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proceeds directly and immediately from the will, as from an efficient cause; the latter, although not proceeding immediately from the will, nevertheless depends on it mediately. But it is clear to everyone that this fourth division of voluntariness can easily be reduced to the third. X. Here it must be noted that, for a subsequent effect of a voluntarily posited cause to be considered itself indirectly voluntary in the cause, as we have said above, and to be imputed for merit or demerit, three things must concur. 1st, that the agent, by positing the cause, is aware, even vaguely, that such an effect will follow from that cause. 2nd, that he is able to prevent such an effect by removing the cause. 3rd, that he is obligated to remove it, or not to posit it. Thus, St. Thomas [Summa Theologica] 1-2, quaest. 20, art. 5, where he says: "If the event following is foreseen, it is evident that it adds to the goodness or badness of the act. For when someone considers that many evils may follow from his action, and yet does not desist, it is clear that his will is more disordered." Silvestro [in this article] says that St. Thomas here uses the term "foreseen" to the extent that...

[*Latin ed. p. 16*]

It sounds the same as "willed and intended," or "foreseen and intended"; just as the Angelic Doctor, in question 73, article 8, ad 1, uses the term "foreseen and intended" when he says: "As was stated above, when the matter of the goodness and malice of external actions was being discussed, the subsequent event, if it is foreseen and intended (but he had previously said 'foreknown'), adds to the goodness and malice." Then, he adds, "Silverius teaches that the subsequent event is considered willed and intended not only when it is intended from a purpose, but also when it is foreseen with such certainty that it could and should have been prevented, yet it is not prevented; in such a case, it is willed interpretively, or indirectly." Finally, St. Thomas concludes, in article 5 of the same passage: "However, if the subsequent event is not foreseen, if it follows of itself from such an action, and this occurs in many cases, it adds to the goodness or malice of the action. Otherwise, if it occurs accidentally, and this occurs in fewer cases." Here, Silverius teaches that the subsequent event, of itself and in many cases, adds to the goodness and malice because, if it is not foreseen in itself, it is certainly foreseen and intended in another way, namely, in its cause and virtually.

XI. By the same reasoning, it must be said that three things are required for an omission to be voluntary and culpable: 1st, that someone was able to act; 2nd, that they ought to have acted; 3rd, that they did not act. Thus, Silverius, Gonet, Contenson, and others teach.

[*Latin ed. p. 17*]

St. Thomas, Summa Theologica, 1.2, q.6, a.3: It is to be known that that which follows after is not always reduced to the effect of an action, as in

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the case of a cause, or of an agent from that which it does not do; but only when it can and ought to act. XII. From the definition of voluntary action given above, it is easily understood in what the nature of involuntary action consists: if, therefore, a voluntary action requires 1st, that it be from an internal principle, 2nd, that it be with the knowledge of the end, as we said in § 1, no. VII, it is necessary that its opposite, namely involuntary action, be either from an external principle contrary to the inclination of the will, as happens with an agent acting under force or fear, or be done without the knowledge of the intellect, which is either taken away or at least bound, as happens with one acting from ignorance or passion. Thus, the Doctors commonly distinguish, from St. Thomas, Summa Theologica, XIII, that there are multiple kinds of involuntary action. One kind is called involuntary in a privative sense, when only the act of willing is lacking, that which one is able to will. Another kind is called involuntary in a positive and contrary sense, that is, when something is not only not willed, but positively willed against and repugnant to one's will. Again, the involuntary action contrary is twofold: one simply, the other conditionally. The first is that which is so displeasing to the will that in no way and by no means does one will it. The second, however, is that which, although it may displease the will under some respect, is nevertheless, under another reason, more pleasing to it.

[*Latin ed. p. 18*]

It pleases and is accepted. Such is the projection of goods onto the sea, made with fear of shipwreck; which, with respect to the merchant, is involuntary in a certain sense, but with respect to the greater imminent evil, it is simply voluntary. XIV. From the foregoing, we gather several things regarding practice. 1. He who, on the highest day of the feast, becomes intoxicated, not foreseeing the omission of Mass that will follow from it, does not sin by that omission of the sacred rite. We have given a reason in §. 1, n. 10, where we stated that the subsequent event is not imputable unless it is foreseen in himself or in the cause. 2. If the cause that is placed produces such a bad effect by its very nature, yet if he is necessarily compelled, then the bad effect, even if foreseen, is not in any way imputable if he takes some precaution. Thus, it is not imputable to the surgeon the pollution which he foresees will follow necessarily from the touch of a woman in delicate parts, provided he does not intend it. Nor is it imputable to a student the matters of the sixth commandment, if he himself does not intend such an effect; provided he repels complaisance in the act in which the pollution follows. The reason is, because he is not then obliged to remove or avoid that cause; and he who uses his right is not said to be the cause of an unintended and accidental effect; rather, in such a case, he seems more to suffer than...

[*Latin ed. p. 19*]

To act. Furthermore, the subsequent effect resulting from a cause that is

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otherwise honest and licit is not imputable, such as the pollution that arises from riding or from moderate food and drink; for then the effect is not intended, but occurs accidentally, and, according to St. Thomas [Summa Theologica], II-II, c., is not imputable. 3.º Nor should the confessor easily believe a penitent who excuses himself, claiming to have uttered blasphemies or obscene words without awareness and involuntarily, as if from habit. For if he has not striven to eradicate that habit by employing remedies, then he is voluntary in the cause when he blasphemes, etc., and therefore he is not excused from guilt; otherwise, if, having employed due diligence, he inadvertently blasphemes, utters obscenities, and performs similar actions. Now, let us proceed to the causes that cause involuntary actions, such as force, fear, concupiscence, and ignorance. Let us therefore proceed to: § II. OF FORCE AND FEAR. XV. FORCE is defined: as that which proceeds from an external principle, resisting that which suffers the force. Thus, generally, the Doctors [DD.], Damascene, Nyssa, St. Thomas [Summa Theologica], and the author of Ethics, 3, c. 1. Hence, it follows that two things are required for the nature of force: 1.º that it proceed from an external principle; 2.º that the one suffering resists with all his strength, even positively.

[*Latin ed. p. 20*]

Contrary to extrinsic action. It is not sufficient that it proceeds negatively; otherwise, the justification of infants would be violently violated. This is gathered from *Summa Theologica* 1-2, question 6, article 5, second part, where it is said: "When an action is inflicted by something external, while the one who suffers maintains the will to suffer, it is not simply violent; because although the one who suffers does not contribute by acting, he does contribute by willing to suffer."

XVI. Violence is of another kind, which is called simply and absolutely, and another, conditionally. The first is when someone resists with all possible means. The second is when, according to his strength, he does not resist.

XVII. I say, firstly, that absolute and simply spoken violence causes involuntariness. The reason is, because when the will of the one suffering resists the extrinsic agent with all kinds of resistance, then the action of the agent will not be in any way willed by the one suffering, because it will be contrary to all the inclination of that will, and consequently simply involuntary. This is taught by St. Thomas in the aforementioned passage. From this, it follows that a woman who resists in every way the violence that is inflicted upon her against her chastity, does not sin, even if she suffers rape unwillingly. Here, Augustine says in *De Civitate Dei*, chapter 17, where he speaks of Christian women who, after Rome was captured by the Goths, had suffered violence: "Whatever another does to the body, or in the body, which cannot be avoided without personal sin, is done without

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the fault of the one suffering." We say the same in similar circumstances.

[*Latin ed. p. 21*]

XVIII. I say secondly that violence, in a certain sense and to a certain extent, does not eliminate [culpability], but merely diminishes the voluntariness [of the act]. The reason is that where the will does not resist as much as it can, some portion of the will remains involved; and according to the greater or lesser resistance it offers, its action will be more or less voluntary and culpable.

XIX. Here, theologians inquire whether violence can be imposed upon the will. We answer briefly, conceding in the case of commanded acts, but denying it in the case of chosen acts. Thus, St. Thomas [Aquinas], cited above, speaking in question 4, on chosen acts. St. Anselm, in his book *De Libero Arbitrio*, chapter 6, says: "No one can will unwillingly; for one cannot will while wishing to will otherwise." Neither can God Himself compel the will in the case of chosen acts: for then the will would both will and not will at the same time. For, by hypothesis, it would will; but it would not will, because it would be contrary to its own will; which is a contradiction in terms. However, God can change the will, and make one who is unwilling become willing, through efficacious grace. But then it is not coercion, but rather a new inclination, by which He supplants the old inclination by which he was unwilling, with a new inclination by which he wills what he previously did not will. See St. Thomas, question 22, on truth, article 8, and others.

Now, concerning fear.

XX. Fear is defined as: the trembling of the mind, caused by an imminent or future danger. Livius says: "That which is done because of fear, will be."

[*Latin ed. p. 22*]

We speak here only of the fear that falls upon a steadfast man, or of the fear of a greater evil, as Labeo says in Digest 5, title 3. Fear is divided into grave, or just, fear, and light fear. Light fear is that which fears a slight evil, or fears a grave evil, but for a slight and improbable reason. Grave fear, on the other hand, is that which fears a grave evil for a very probable reason. Generally, grave evils are considered to be death, mutilation of limbs, severe beatings, harsh imprisonment, exile, servitude, great infamy, confiscation of property, the loss of the tools of one's trade, without which one cannot obtain sustenance through labor, etc. In other cases, the gravity or lightness of fear must be considered, especially because of the different nature and quality of persons; for what greatly disturbs children and women scarcely affects men, even slightly. Here we speak of the one who acts out of fear as the sole motivating cause, and not of the one who acts with fear accompanying him, which certainly does not remove the voluntary aspect.

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XXI. I say that fear does not cause involuntariness simply, but only in a certain sense; which is the same as saying that those things which are done out of fear, whether light or grave, are simply voluntary, but involuntary only in a certain sense. This conclusion is drawn from the common opinion in *Summa Theologica* 1, 2, question 6, article 6. The strongest reason is...

[*Latin ed. p. 23*]

For that which is simply voluntary, and voluntary according to the degree to which we truly will, here and now, and in the present circumstances, and we only will not when a thing is considered absolutely and abstracted from the present circumstances. But those things which are born of fear are of this kind. Therefore, those things which are done through fear are simply voluntary, but only voluntary according to a certain degree. This is clearly evident in the example of throwing goods into the sea because of an impending shipwreck. For the merchant simply wills that throwing, considering the present circumstances of the danger to his life, which is a greater evil that must necessarily be avoided; he does not will it according to a certain degree, namely, outside of the case of an impending shipwreck, if we consider the throwing of the goods itself, in itself and absolutely, insofar as it is contrary to the will of the merchant. Let the reader consult St. Thomas, in the aforementioned place, as well as Gonnerius, Silvaticus, and Contenson, and other moral philosophers who treat of this subject. XXII. From what has been said, several things may be gathered for practice. 1st. Contracts which are made under grave fear are valid by natural law, because they are simply voluntary. 2nd. Such contracts may be rescinded and declared void by the one who has suffered the injustice, if the fear was unjustly imposed. Thus, Alexander III, in the decree *Abbas*, title *De his quæ vi*, and Innocent III, in the decree *Ad audientiam*. 3rd. However, by positive law, many contracts...

[*Latin ed. p. 24*]

Acts performed under grave and unjust fear are invalid and void, both by the Church and by civil law, for just reasons. Such are marriage contracts made under grave and unjust fear, even those confirmed by oath; *c.* ”He who leads,” *c.* ”With a woman,” *c.* ”Coming,” Title on Betrothals. Likewise, promises and payments of dowries similarly extorted, vows and solemn professions made under fear, absolution from excommunication, suspension, or interdict obtained by force and fear, *c.* ”Of Absolution,” Title VI, and similar things.

§ III. WHETHER LUST TAKES AWAY OR RATHER INCREASES VOLUNTARY ACTION.

XXIII. By the term ”lust” we understand in the present context a certain motion of the sensitive appetite against the spirit, which tends towards a

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pleasurable good. It is twofold: antecedent and consequent to the consent of the will. Lust antecedent precedes the consent of the will and draws and inclines it to act: as when someone sees a very beautiful woman, he is drawn by lust to desire her. Lust consequent, on the other hand, follows the consent of the will, indeed, it arises from a prior consent of the will to some already given thing: as...

[*Latin ed. p. 25*]

For example, a man ardently desires something, and in him a vehement passion of concupiscence is aroused. Thus, *Summa Theologica* 1-2, question 77, article 6, where it is added that the will cannot be intensely moved towards something without arousing some passion in the sensitive appetite. The same is confirmed in question 73, article 6, second part. It is now certain that concupiscence following [an act] presupposes a more intense will, and does not diminish, but rather increases the will and the sin. Hear *Summa Theologica* 1-2, question 77, article 6: "The consequent passion does not diminish sin, but rather increases it; or rather, it is a sign of its magnitude, insofar as it demonstrates the intensity of the will towards the sinful act." Concerning the antecedent [passion], we establish the following conclusions.

XXIV. Conclusion 1. The antecedent concupiscence does not eliminate the will, but rather makes the act more voluntary and increases it, due to a greater inclination; thus, *Summa Theologica* 1-2, question 6, article 7, concludes in these terms. The reason given is that the voluntary act implies a certain inclination of the will with some knowledge of the end. But through concupiscence, the will is inclined to will that which it desires, and the mind is not entirely obscured in the knowledge of the thing. And because the will, when acting from concupiscence, is carried by a greater inclination towards the object, therefore it not only does not eliminate the will, but also increases it.

[*Latin ed. p. 26*]

XXV. The second conclusion is that antecedent concupiscence diminishes the voluntary act through a weakening of reason. Indeed, it sometimes entirely removes the voluntary act, because it deprives one entirely of reason. The first part is proven; for the knowledge of the end is essentially required for the nature of a voluntary act, as has been stated many times. However, vehement concupiscence diminishes this knowledge; for it prevents the mind, being affected by a sensible object, from considering the wickedness of the act and the offense to God. Therefore, in this way, it diminishes the voluntary act in proportion to the diminution of the knowledge of the end. *Summa Theologica*, 1-2, question 7, article 7, ad 3; and question 10, article 3; and question 73, article 6; and question 77, article 6. The second part is proven, that sometimes

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antecedent concupiscence entirely removes the voluntary act; because sometimes it anticipates all judgment of reason and all consent of the will. Thus, St. Thomas affirms in *Contra Gentiles*, book 6, article 7, ad 3, saying: "If concupiscence were to completely remove knowledge, as happens with those who, through concupiscence, become drunk, it would follow that concupiscence would remove the voluntary act." The same is taught in question 77, article 7; and question 20, article 3. From this, we conclude that the movements of concupiscence which theologians call "first-order" and which completely anticipate all consent and freedom of the will are entirely...

[*Latin ed. p. 27*]

Those who act involuntarily and without fault. However, actions stemming from a second-degree motive, which at least imply a semi-complete consent of the will, do not entirely negate the voluntary aspect, but rather diminish it. § IV. WHAT IGNORANCE MAKES AN ACTION INVOLUNTARY. XXVI. IGNORANCE is manifold and is commonly divided into ignorance of simple privation and ignorance of perverse disposition. The former is the lack of knowledge of something that one could have known, given the time and circumstances, such as when an adult is ignorant of things that he could have learned. The latter is a positive deception and an error contrary to the truth. 2. It is divided into ignorance of the law and ignorance of fact. Ignorance of the law is when one is ignorant of a law, or that something is commanded or forbidden: for example, if someone is ignorant that fasting is prescribed on the vigil of Pentecost by custom. Ignorance of fact is when one is unaware that a particular action is forbidden, which is truly not permitted: such as when someone is unaware that the meat they are eating is forbidden on a day of fasting. 3. It is divided into concomitant, consequent, and antecedent ignorance. Concomitant ignorance is that in which one is ignorant of what one is doing, but would still do it if they were not ignorant. This is the case of someone who, ignorant, kills an enemy, thinking they are killing a deer; however, even if they knew, they would still kill.

[*Latin ed. p. 28*]

Ignorance is not the cause of an action, but only accompanies the action as an accidental circumstance. Ignorance that follows [is said to be] that which follows from the determination of the will, insofar as that ignorance itself is voluntary and proceeds from free will. This following ignorance is divided into voluntary ignorance, directly or affected; into voluntary ignorance, indirectly or gross; and into the ignorance of evil choice. The first is that in which the will directly wills the ignorance itself: as when someone wishes to remain ignorant in order to have an excuse for a sin already committed, or in order not to be deterred from committing sin, according

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to that which is said in Job 21: "Who have said to God." And in Psalm 33: "He would not understand, that he might do good." Those labor under this ignorance who, when given the opportunity, do not seek counsel in doubtful matters, nor do they attend sermons and catecheses, lest they fall into bad faith and be deterred from their purpose. Indirectly voluntary, or gross, ignorance is when someone does not intend to remain ignorant, but neglects to learn those things which he can and ought to know. And in this manner, ignorance of the universal law, of which one is held to be aware, is said to be voluntary, as if it were arising from negligence. Finally, the ignorance of evil choice is that which, in actuality, does not consider what one can and ought to consider here and now, and proceeds from passion or from habit.

[*Latin ed. p. 29*]

Antecedent ignorance is that which entirely precedes the consent of the will, so that in no way is it voluntary, and yet it is the cause of willing that which, if he knew, he would not will; for example, when someone, using due diligence, kills a man, whom he believes to be a wild beast. This ignorance is also called invincible. However, we do not speak here of this invincible ignorance, nor of vincible ignorance, because we have spoken of them in treatise on conscience, number 7.

I say, first, that antecedent ignorance causes something to be simply involuntary, because it is in no way willed, and is truly invincible, that is, it cannot be overcome by any moral diligence, and therefore it is blameless. Thus, the Doctors commonly teach. Whether such invincible ignorance can exist concerning the precepts of natural law, at least concerning mediate conclusions, see treatise on conscience, number 28.

I say, second, that concomitant ignorance neither makes something voluntary nor involuntary: because this ignorance neither leads to willing nor to not willing, nor is it the cause or the effect of the will acting, but it happens by accident, either with the act of the will or with the work that is being done. It can only be said that it makes something non-voluntary; for there cannot be an act that is truly willed which is unknown. Thus, St. Thomas, Summa Theologica, 1, 2, question 6. Lig. Theol. Mor. Vol. VIII.

[*Latin ed. p. 30*]

Art. 8. [Referring to] Silv., Gon., Cont. Tourn., and others, commonly. XXIX. I say, fifthly, that ignorance resulting from negligence does not simply cause involuntariness: because this ignorance is voluntary and has will as its cause; therefore, it cannot be said to be simply involuntary, but at least it causes involuntariness in a certain sense, as St. Thomas says in the aforementioned passage. For, if the one acting knew that the act was evil, to which he is induced by passion, he certainly would not will to do it.

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ARTICLE THIRD. CONCERNING FREE, OR LIBERTY, OF HUMAN ACTIONS.

XXX. We call an act free either that which is done without any compulsion, or that which can be omitted at one's pleasure. Theologians commonly distinguish two kinds of liberty in human actions, namely, liberty from coercion, or spontaneity, and liberty from internal or natural necessity, which is also called the indifference of choice and of will. Liberty from coercion is immunity from all violence imposed against the inclination of the will. With this liberty, the blessed love God, and we, in general, love men. Hence, every act of the will is free from coercion. Liberty from necessity, however, is that which excludes all necessity, whether internal and of nature, or external and of coercion.

[*Latin ed. p. 31*]

In this manner, a thing is said to be free which can act or not act, choose or not choose. Hence, free will is defined as the power of choice, or the faculty of choosing one thing over another. Liberty is divided into three kinds: liberty of indifference, by which one can do or not do; liberty of contrariety, by which one can indeed do the opposite, for example, to love and to hate; and liberty of distinction, by which one can do this or that, but not the opposite, for example, to write or to walk.

XXXI. Liberty is opposed to necessity, which is manifold. One kind of necessity is that of coercion, which is the same as violence. Another is the necessity of nature, or natural inclination, which consists in a certain propensity inherent in the will, by which nature inclines the will to pursue or avoid something necessarily. Coercion proceeds from an external principle and takes away the voluntary and free will; whereas, the natural necessity proceeds from an internal principle and takes away freedom, but not the will itself.

Again, there is absolute and antecedent necessity, which either precedes the use of reason and will, or expresses such a consent that the will cannot deny it; and there is consequent and hypothetical necessity, which follows from a free consent and determination of the will, and does not in any way harm freedom.

[*Latin ed. p. 32*]

Will; for example, it is necessary for me to speak, if I have already determined to speak. There are other divisions of necessity, namely, specification, and exercise, physical and moral, the subtle investigation of which we commend to scholastic theologians. XXXII. There were formerly Stoics, astrologers, Manicheans, Wycliffites, Calvinists, Lutherans, who called free will a fiction in things, and a title without substance; finally, the Jansenists, who attempted to subvert the freedom of man, or free will, attributing all things either to fate, or to the influence of certain stars, or to efficient and

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concupiscent grace, not without incredible folly, and perhaps with their own conscience and innermost sense protesting against them: whom the Council of Trent, in session 6, canon 5, struck down with a single blow of anathema, following the most evident testimonies of Scripture and the Holy Fathers, and indeed of everyday experience, which is the teacher of things. I do not intend to set forth arguments to defend the existence of freedom in man, since it is superfluous to offer unnecessary arguments on a matter that is scarcely doubtful. It is enough to say that, if free will were once taken away from man, laws would be given in vain, and exhortations would be applied in vain; no one would be worthy of praise or blame, nor would rewards be due to the good, nor punishments to the wicked. This is so evident.

[*Latin ed. p. 33*]

"Rather than being refuted by words, whoever dares to deny free will should be refuted by chastisement," said Scotus, Vega, and others following Aristotle. Therefore, it was rightly condemned as heretical by Innocent X in the constitution *Cum occasione*, and by Alexander VII in the third proposition of the Jansenists, which denied the necessity of indifferent liberty for meriting or demeriting in the state of fallen nature, and by Pius V in proposition 67 of the *Baji*: "Man also sins damnably in that which he does necessarily."

We shall present only three propositions pertaining to the matter of liberty which Christian religion forbids us to ignore. The first is that man, even after the Fall of Adam, possesses free will, or indifferent liberty and choice. Thus, the Council of Trent, session 6, canon 3, against the Novatians; the Council of Constance, session 8, condemned Wycliffe's 27th proposition: "All things happen by absolute necessity." Augustine wrote in *De gratia et libero arbitrio*, chapter 1: "God has revealed to us through the Holy Scriptures that there is free will in man; and whoever denies it is not a Catholic." And St. Thomas, *Summa Theologica*, question 24 on truth, article 1: "It must be stated without any doubt that man possesses free will. For faith demands it..., manifest signs indicate it..., and even evident reason compels it, etc."

[*Latin ed. p. 34*]

Another is that defined by Innocent X and Alexander VII against the Jansenists, namely, that in the state of fallen nature, freedom from coercion alone is not sufficient for merit or demerit, but freedom from necessity, or indifference, is required, as stated above. The third proposition is that the essence of freedom, in its general sense, does not consist solely in the voluntary, but that indifference, or the power to act or not to act, is required of its essence. Thus, St. Thomas, 2nd part, distinct. 24, question 1, article 1, ad 2: "It pertains to the freedom of the will that it can do or not do a

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certain action. But it is not required of the essence of freedom that there be indifference of contraries, that is, the power to do good or evil." Common theologians, against Gonet, dissertation 2, paragraph 218; Molin in his *Concordia*, dispute 2; Ripalda, etc.; because they define freedom in us, as travelers, by the power to choose between opposites. In our opinion, St. Augustine states in *De Civitate Dei*, book 23, chapter last: "The will will be all the more powerful the less it can sin." St. Anselm, *De Libero Arbitrio*, chapter 1: "If the ability to sin were part of free will, then God and the angels would not have free will; which is absurd." St. Thomas, in the same place, who says: "It does not pertain to the reason of free will that it should be indeterminate with regard to good or evil; and therefore, where free will is most perfect, there is no inclination towards evil."

[*Latin ed. p. 35*]

He can. He says the same thing in part 1, question 62, article 8, in the third section.

ARTICLE FOURTH. CONCERNING THE MORAL GOODNESS AND BADNESS OF HUMAN ACTIONS, AND THE PRINCIPLES OF MORALITY.

§ 1. IN WHAT CONSISTS THE MORAL GOODNESS OR BADNESS OF AN ACTION.

XXXIV. Concerning the nature of the morality of human actions, theologians do not agree. Some say that it is sufficient to constitute the morality of an action that it be voluntary, and that freedom of indifference is not required. Thus, Gabrel, Almain, Ockham, Major, etc. Others believe that the morality of an action formally consists in freedom, and they confuse freedom with morality. Thus, Francis Felix, who praises Scotus for himself, and many other Fathers of the Society. Others, such as Suarez, Vasquez, Salas, etc., assert that it is precisely some extrinsic denomination derived from some extrinsic form. Finally, the Thomists believe that it is something accidental superadded to the entity and freedom of the action, by reason of which it has a special relation to good or to the law. We, setting aside these obscure formulas of the schools, say, in common with theologians, that the moral goodness of a human action consists...

[*Latin ed. p. 36*]

In a certain conformity and agreement of the free act with right reason and the law, so that the act is said to be good which is conformed to the law and reason. Hence, St. Augustine, in his book *On the Utility of Faith*, chapter 12, says: "A just act cannot in any way be that which does not proceed from right reason." Conversely, moral malice in a human act consists in discrepancy or disconformity from right reason. An act is said to be evil

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which is not according to the dictate of right reason, whether that be uncreated reason, which is the eternal law, or created reason, which is the natural light of man or the participation in the eternal law, according to St. Thomas, *Summa Theologica*, I-II, question 91, article 2. Both these reasons are the rule of human actions, from which the measure of the goodness or malice of a human act is derived. Thus, Cont. Tourn., in this chapter, section 1, and moral philosophers, such as Genuensis, *De principiis legis naturalis*, chapter 15, section 9, Purchot, and Muratori, *Philosophia moralis*, chapter 25, *De bono morali sive honore*, condemn Aristippus, Epicurus, Carneades, and other ancient philosophers, and even certain moderns outside of *Italiam*, who constitute the nature of good and honorable solely in the utility of man and the state, according to the words of Horace: "Even utility itself, which is proper to the just, is almost the mother and sister of equity." This most illustrious man teaches that the nature of moral good is founded on the conformity of action with the laws of order which God demands from men for His own honor and the common good.

[*Latin ed. p. 37*]

With happiness. Therefore, whatever tends towards the glory of God and true human happiness is in conformity with the order established by God, and consequently, is honorable and virtuous. Conversely, one must judge the moral evil. XXXV. From this, it follows that 1st, no moral good, no moral evil, can be understood without reference to the law, at least the natural law. Hence, the Epicureans, who denied all laws, said that justice was invented out of fear of physical evil and for the sake of the utility of life, as Lucretius wrote in book 5. When it is commonly said that certain things are forbidden because they are evil, it should be understood that certain things are forbidden by positive law because they are contrary to natural law. Nothing is intrinsically evil, unless it is compared at least to the law of nature. 2nd, it follows that freedom is a necessary requirement for the morality of an act. For a human act, and a moral act, must proceed from deliberate reason, and therefore, it must be free. Thus, St. Thomas [Aquinas] writes in *Summa Theologica*, 1-2, question 18, article 9. But they are mistaken who maintain that the entire morality of a human act consists solely in freedom. It is true that freedom is required as a foundation for morality; otherwise, those who would not fear that all things are governed by fate, must consequently say that there are no sins; as Spinoza, who in the appendix of the first part of his *Ethics* attributes the origin of sins to human imagination and superstition.

[*Latin ed. p. 38*]

Moral matters. But it is false to say that freedom alone formally constitutes the goodness or badness of a human act, without a suitable relation of the act to right reason and the law, as must be said; as is demonstrated

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by Gon. tr. 3, c. 9, on human acts, Cont. Tourn. 1, c., and by other theologians of the highest standing, § II. WHAT AND HOW MANY ARE THE PRINCIPLES OF MORALITY? XXXVI. THEOLOGIANS call the principles of morality those from which it follows that some action is good, or bad, or indifferent. Three such principles are enumerated, namely, the object, the end, and the circumstances. For that an action may be said to be good for its whole cause, it is necessary that it be in accordance with the law and right reason, both in the part of the object, and in the part of the extrinsic end of the action, and also in the part of the circumstances. The object from which an act receives its essential and primary morality is that about which the moral act revolves, and which is first and per se attained by the very act itself: thus, a foreign thing is the object of theft, and God is the object of the act of love. Such an object is not considered physically and according to its own entity, according to which it is always good by the goodness of the entity, but it is considered morally, insofar as it is in accordance with or contrary to right reason. If...

[*Latin ed. p. 39*]

The object, intrinsically and by its very nature, being conformed to right reason, as is the love of God, will be immutably good. But if it is conformed to reason only externally and by the force of a positive law, as is fasting, then it can sometimes be good, and sometimes evil, depending on the circumstances. XXXVII. Therefore, the first principle of morality is the object; for if it is morally good or evil, it gives to the act its essential goodness or wickedness. Thus, in the *Summa Theologica*, I-II, question 18, article 2. The reasoning of the Divine Doctor is this: just as, in natural things, the primary goodness of a thing is considered from its form, which gives to the thing its species or its essential and specific nature; so also, the primary goodness of a human act is considered from the object to which it is primarily directed. If the object is improper and contrary to rational nature, then the essential wickedness of the act will arise from it. Others, wishing to use a stricter formula of speech, say that a human act derives its morality not from the object itself, but from the manner in which one tends towards the object, whether in a way that is consonant with reason or dissonant from it. Thus, in *Controverses*, chapter 6, article 2, section 1, *in fine* conclusion. And in this way they explain how hatred of God, which has the best object, can be morally the worst; because the will is directed towards God with the intention of pursuing Him with all love, but in a way that is most dissonant from reason, namely, by hating Him. XXXVIII. The second principle of morality.

[*Latin ed. p. 40*]

The end, whether intrinsic to the work, which coincides with the object, or extrinsic to the one acting, is said to be morally good or bad to the extent

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that it is in accordance with or contrary to the rules of morality. Therefore, if the object is good, but the end of the one acting is bad, the human act is entirely bad, due to the wickedness of the end, which destroys all goodness. The reason is that such an act is simply bad: right reason disapproves of choosing the good for a wicked end. Thus, St. Thomas [Aquinas], 2a 2ae, distinct. 38, q. 1, art. 4, ad 4: "When someone wants to give alms for the sake of empty glory, this is one act of the will; and this act is entirely bad, although not everything in it may be evil." See also: Gonet, *Manuale*, 3, on human acts, chap. 12; and St. Thomas, 1a 2ae, q. 18, a. 4 and 6. If, however, the object is good, and the end is also good, then the human act has a double aspect of moral goodness, as is the case when alms are given in satisfaction for sins. St. Thomas, q. 18, art. 4, 6, 7, with the common theologians, except Vasquez. If, however, the object is indifferent, then a good end makes the act morally good, as is the case when one walks out of obedience; a bad end makes it bad, as is the case when one walks to display luxury. A bad end makes an act worse, as is the case when one steals to support a concubine; and it makes a good act bad, as is the case when one gives alms for the sake of empty glory.

[*Latin ed. p. 41*]

XXXIX. The third principle of morality are the circumstances, which often impart to an action either a different accidental goodness or malice; because such goodness or malice supervenes upon an action already constituted in its essence as belonging to a particular moral quality. Thus, St. Thomas [of Aquinas], *Summa Theologica*, I-II, q. 18, a. 3, *ad tertium*, with the common opinion. The circumstances are either of the person, which often adds a new species of malice: as when a married person, or one bound by a vow of chastity, commits fornication; and sometimes it only increases the malice within the same species. This is understood both of the agent and of the patient: as when benefactors are struck. Or, the circumstance of the place: as to steal in a sacred place, which changes the species, and so with other circumstances of time, manner, helps, or instruments by which the action is performed, which, as we have said of others, can either change or increase the malice, either notably or slightly within the same species. Note that a circumstance which is only slightly evil, when added to an action, does not entirely remove its goodness, nor does it destroy all merit. Thus, generally, the opinion which is widely held, as is built up by Contenson, *Liber Sextus*, disputation 2, chapter 2. From this, it follows for practice that the confessor should question the penitent who accuses himself of having stolen, about the intention. For if he intended to use the stolen money for fornication, then there is a new

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malice; thus, if...

[*Latin ed. p. 42*]

If he has detracted from his neighbor, let him inquire whether, perhaps, by this means he intended to prevent him from obtaining some profit or dignity. For, as has been said, the species of malice is easily changed by the intention of the end.

XL. Question: Does an external act add any moral goodness or malice to the internal act? St. Thomas, in the aforementioned place, question 2, article 4, teaches, in agreement with Gon., Ronc., and Cont., that an external act does not add any intrinsic moral goodness or malice to the internal act itself, but it possesses only extrinsic goodness or malice, derived from the commanding act of the will. This is confirmed by the authority of St. Thomas in 2 distinctio, 40th question, article 3, where he says: "An external act adds nothing to the essential reward [consequently, to the intrinsic goodness that follows the essential reward]." For he merits some good only who has a perfect will to do it, as much as if he were to do it... with an equally perfect will remaining. However, it adds some accidental reward. Thus, martyrs, who truly suffer for Christ, have an accidental reward, or a laurel wreath, above those who, with equal fervor of charity, only desire death for Christ.

I have said that an external act does not add any intrinsic moral goodness or malice to the internal act itself; for it adds it accidentally, regularly.

[*Latin ed. p. 43*]

Speaking, [one] expresses some accidental goodness or malice. Therefore, St. Thomas, in the aforementioned place, chapter 20, article 2, adds: "Unless the very will is made, through an external act, better in good things, and worse in evil things." For the external act is often the cause and occasion for the internal act to become worse, either because internal acts are multiplied until they are completed by an external act, or because the internal act has a greater duration until the work is completed, which cannot be immediately accomplished, or because it becomes more intense through the externality of the act. Furthermore, through an external act, the senses are more weakened, and external powers are made more prone to evil; scandals are produced; sometimes excommunication is incurred, or irregularity, or an obligation to restitution; which are not incurred by an internal act. However, Scotus, in the aforementioned place, article 3, and all the Scotists, as Manstrinus reports, do not maintain that an external act does not, by itself, add anything of goodness or malice to the act of the will, because it has an intrinsic goodness or malice superior to the internal act. See Salm. on this question, Manstrinus, and other Scotists. We do not have

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the leisure to expand on this further.

[*Latin ed. p. 44*]

CHAPTER XI. LET IT BE UNDERSTOOD THAT THERE IS AN INDFERENT ACT IN THE INDIVIDUAL.

To clarify the state of the question, let the explanation of the terms be made more explicit. A human act (of which we speak only here) is said to be indifferent either in species or in the individual. An act indifferent in species is an act considered in the genus (abstracting from the end and individual circumstances), compared only to its object, which is neither, in itself, good, that is, consonant with reason, nor evil, that is, dissonant with reason, but indifferent to both, such as walking, lifting a stalk of grass, gathering flowers, etc.; these, from their species or object, are neither good nor evil, but can be made honorable or dishonorable by reason of the end, and other circumstances. An act, however, indifferent in the individual is an act considered as it is in reality, according to its object, its end, and all individual circumstances, which is nevertheless neither good nor evil, but indifferent.

CHAPTER XII. Concerning Faith, it is certain that not all human acts are indifferent according to their species or object, but that some are good in themselves, such as the acts of faith, hope, and charity, etc., while others are evil in themselves, such as fornication, the killing of an innocent person, etc.; for there are certain objects that are consonant with reason in themselves, and there are also others that are dissonant with reason in themselves.

[*Latin ed. p. 45*]

XLIII. Quid est etiam certum est quod existunt quomodius actiones quae, secundum suam speciem, sunt indifferentes; quia, per se, neque sunt bonae neque malae. Sic *Summa Theologica*, loc. cit., art. 8, cum communi. Hinc Sanctus Hieronymus, *epistola* 8, scripsit: "Bonum est continentia, malum est luxuria; inter utrumque indifferens ambulare." Huc refertur damnatio articuli 16, Ioannis Hus, facta in concilio constantinopolitano, sessione 15, qui affirmabat quod nulla sint opera indifferentia. Non potest intelligi de indifferentibus in individuo; quia hoc idem defendunt probabiliter plurimi boni catholici: igitur intelligendum de indifferentibus in specie. XLIV. Ad quaestionem propositam ut respondamus, dicimus quod non dantur actiones indifferentes in individuo. Sic *Summa Theologica*, 1, 2, quaestio 18, articulus 6, et thomistæ, Bellarmine, Suarez, Valentia, Durandus, in 2, distinctio 40, quaestio 1, Richerius, Maior, Gaeta, Medina, Becanus, alique contra Scotum et scotistas, Aleanus, Sanctus Bonavventura, Almainus, Vasquez, etc. Ratio praecipua *Summae Theologicae* haec est: Actus moralis non solum habet bonitatem ex objecto, sed etiam ex circumstantiis... Oportet quod quilibet actus individualis habeat aliquam

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circumstantiam per quam trahatur ad bonum vel malum, ad minimum ex parte intentionis finis. Cum enim rationis sit ordinare, actus a ratione deliberativa procedens, si non sit ad debitum.

[*Latin ed. p. 46*]

It is ordered to an end; therefore, it is contrary to reason itself and possesses the nature of evil; but if it is ordered to a proper end, it is in harmony with the order of reason, and therefore possesses the nature of good. It is necessary that every action, whether ordered or not ordered to a proper end. Therefore, it is necessary that every human act, proceeding from deliberate reason, when considered individually, be either good or evil. This is the teaching of the Angelic Doctor. Furthermore, it cannot happen that any singular act, proceeding from deliberate will, takes place without circumstances. Therefore, either those circumstances are in conformity with right reason, so that the act is done when, where, how, and for what reason it is fitting to be done, and thus it is good; or they are not in conformity with right reason, at least not all of them, but some are deficient, and thus it is evil. Therefore, no act can be indifferent when considered individually and according to all its circumstances. Moreover, a man is bound to refer all his actions to God when he acts with deliberation and for some end. For the Apostle says in 1 Corinthians 10: "Therefore, whether you eat or drink, or whatsoever else you do, do all to the glory of God." Therefore, if it refers to God, even only through virtual intention, the act will be good; if it does not refer to God, it will be evil; therefore, no act is indifferent. I know that the adversaries say that in the words of the Apostle, there is contained a counsel, not a precept.

[*Latin ed. p. 47*]

But this is false; the Fathers also recognized that the precept concerns not the counsel, but the command. Thus, Augustine, *Cælest. I.*, Maximus, *S. Th.* lect. 3, cap. 3, *ep. ad Coloss.*, which may be read in Cont. Tourn., c. 6, ser. 6, *de act. hum.*, to whom I refer for a more thorough examination of this question, along with the objections and responses of adversaries. From this, we gather the following for practice. It is necessary, frequently during the day, at least in the morning, to offer to God all one's actions, so that thus the precept of the Apostle may be fulfilled, at least in intention, to do all things to the glory of God. In this way, every action, even one that is indifferent in itself, becomes good and virtuous in the individual. Indeed, an actual connection of all words and deeds to the good is not required; which would be an unbearable burden and a source of six hundred scruples, but a virtual connection is sufficient, as we have said: hence, although someone approaching the table does not think about the preservation of life, but only about the enjoyment of food, as Gon. says, he does not therefore sin; because he desires such enjoyment, at least virtually, for the preservation of

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life, and thus does not desire it immoderately. Thus far, concerning human actions, their principles, and their morality.

[*Latin ed. p. 48*]

TREATISE ON SINS. CHAPTER I. ON SIN IN GENERAL.

FIRST QUESTION.

1. What is sin?

2. What conditions are required for sin?

3. What should be noted concerning the advertence required for sinning?

4. Is formal advertence required for mortal sin, or is virtual advertence sufficient?

5. What should be noted concerning the consent required for sinning?

6. Does one sin grievously who has a negative disposition with regard to disordered movements?

7. What if there are carnal movements?

8. What remedies are there concerning these?

9. Are we bound to resist them, if there is a reason for not resisting?

10. How and from what time are sins of omission imputed?

11. Is a venial sin against the divine law?

ANSWER.

1. It is a transgression of the law, or, as Tolomei says, it is a voluntary departure from the divine rule: by "rule" is understood a precept, whether natural, human, or divine; by "departure" is understood an act or its omission, which is not only voluntary, but also free, with some actual advertence of malice. I add that, as taught by Sanchez, Moral Theology, chapter 16, and Vasquez, Disputations 2, question 1, paragraph 3.

[*Latin ed. p. 49*]

n. 3. and 12, etc.: It is not sufficient for a sinful act that there be any kind of freedom and advertence, whether virtual or interpretative, by which one could indeed have perceived and should have perceived; nor is it sufficient that there be any actual advertence, by which the intellect considers the reasons for advantage and disadvantage in the object: but it is required that one perceive the moral malice of the object, so that at least one conceives a doubt or scruple about it. The reason is, first, because without this advertence, the act is not voluntary, since it is not known; second, because as long as such a consideration does not occur to the intellect, it is not a sufficient principle for deliberation about the malice, and therefore neither is freedom, and consequently, neither guilt; and this inadvertence is

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considered a natural and invincible forgetfulness. However, Tann. d. 4. de pecc. d. 5. q. 5. d. 5. n. 106 adds that it is not necessary that this consideration remain active while the sin lasts; but it is sufficient that it remain either actively while the sin lasts, or by virtue, so that with it either the sinful act is begun, or at least a cause is given, as happens with a drunkard, who sins not by the force of the present, but by a past deliberation. V. Bald. l. 1. d. 37. However, more recent authors commonly teach that a drunkard, when lacking the use of reason, does not sin formally, but has contracted the malice of those things which are done then, before, while foreseeing the evil that he was about to commit, he gave the cause for it; and that, while someone is actually sinning, he always...

[*Latin ed. p. 50*]

"There must be some slight or obscure intention of evil, as is seen in the commentary; for with regard to practice, it makes little difference in what way one speaks."

"2. To constitute sin, three conditions are required, as is evident from the first response: 1. that it be voluntary, that is, that it be done with the consent of the will; 2. that it be free, that is, that it be within the power of the will to do or not to do; 3. that it be understood as evil."

"Therefore, it follows: 1. If the first condition is lacking, no act which is neither in nor from the will is a sin, unless the will accepts it; therefore, neither internal acts, such as thoughts contrary to the faith, blasphemous, obscene, or carnal desires, even up to the emission of semen, nor external and violent acts, such as the rape of a virgin by force, are sins. 2. If the second condition is lacking, even the most vehement movements of anger or concupiscence, by which the use of reason is disturbed and freedom is taken away, are excused from sin. 3. If the third condition is lacking, he does not sin who, without thinking of the precept of fasting, eats or consumes meat, even if he is aware that it is pleasing to him. Likewise, he who throws a stone through a window, not being aware of the danger of causing injury; or who enters into a usurious contract, not understanding..."

[*Latin ed. p. 51*]

Considering that it is such a thing. Sanchez, book 1, chapter 26, paragraph 21; Reg. book 15, paragraph 75. "4th. The damages and consequences (although otherwise frequent) that follow from drunkenness, and which in no way could have been foreseen, are blameless: because neither in themselves nor in their causes are they free. They are, however, blameworthy, if they could have foreseen them, and sufficient diligence, according to the dictates of prudence, was not employed to prevent them; but if such diligence was employed, even if the consequences occur afterwards, they are without guilt: just as also when, according to the circumstances of place and time, the danger of evil is not apparent, and therefore no precaution is

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taken. Thus, Vasquez, 1.2, ad 124, chapter 3. In conformity with this, Lessius, book 4, chapter 3, teaches that if the negligence in preventing drunkenness or the consequences usually resulting from it is only venial, then even the evils that could have been foreseen are only venial; because, since they are free only in the cause, they cannot have greater guilt than the cause itself." "3rd. Regarding the awareness and consent required for sin, let us note some necessary points. And first, regarding the awareness of the intellect, it should be noted that the manner in which sin is committed is as follows: first, the object is presented to the senses, and its physical pleasantness moves the sensitive appetite; then, the intellect perceives it and its malice; finally, the will consents to it, having understood it in this way. It should be noted 2nd."

[*Latin ed. p. 52*]

The intellect can apprehend something in two ways: either fully, that is, when we clearly discern it with a focused mind; or partially, when we recognize something with a mind not fully focused, because perhaps we are somewhat drowsy, somewhat intoxicated, or otherwise distracted. Furthermore, the intellect can be drawn away by the pleasantness of the object presented, so that no moral malice is perceived in it. Therefore, corresponding to this threefold apprehension are three movements, namely: 1. the first-degree movement, which precedes all apprehension of reason; and these are entirely free from blame; 2. the second-degree movement, which occurs with partial apprehension; and these do not exceed venial sin, because, since full apprehension has not preceded, the will does not consent to them with the perfect freedom required for mortal sin; 3. finally, the deliberative movement, which occurs with full apprehension, where the intellect clearly discerns the moral malice, at least confusedly in its general nature, and with the full consent of the will; and these are mortal sins, if the object is gravely forbidden. Thus, generally, St. Thomas [Aquinas] in *De malo*, question 7, article 6; Caietan; Vasquez; Sanchez; Azorín; Bona; Navarret, etc., along with Salm. *Tractatus*, 20, topic 13, numbers 2, 3, and 4. With these premises, the question arises whether actual and explicit apprehension of the malice of the act is required for mortal sin, or whether virtual and interpretative apprehension suffices. The first opinion, which...

[*Latin ed. p. 53*]

Formerly, Cajetan (2.2, question 88, answer 1, doubt 3) and Med., Lop., Serra, Prado, and others, as cited by Salm (translation 20, chapter 13, number 5), and forcefully defended by Conc., Cont. Tourn., Franz., Antoine, and others more recent (Conc. in comp. theol., book 8, division 3, chapter 2, number 14; Cont. Tourn., volume 2, on sin, chapter 4, answer 1; Franz., in Bus., book 5, chapter 2, on sin, observation 1), state that actual advertence is not absolutely required, but that virtual and interpretative advertence is

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sufficient; which consists in the fact that a man is held and can recognize the malice of an action, even if he does not actually advert to it. Otherwise (they say), all wicked men who, blinded by their passions or bad habits, commit many evils without realizing it, would be considered immune from guilt. The second opinion, which is more common, affirms that actual advertence to the malice or danger of the act, or at least the obligation to advert to it, is required. And this is held by Silv., Suar., Tap., Sanch., Sayr., Pal., Salas, Bon., Salm, both scholastic and moral theologians, Gamach., Isamb., Duvall., as well as Vasq. with Lyr., Tost., Adrian VI., Curiel., Vict., Cord., and others (Silv., in 1.2, question 66, answer 3, question 3, conclusion 2; Suar., volume 5, on the four parts of the Summa, division 4, section 8, number 14; Tap., book 3, question 9, article 5 and 11; Sanch., decrees, book 1, chapter 16, number 21; Sayr., Theology, book 2, chapter 9, number 11; Pal., translation 2, division LIG. Theol. Mor. T. VIII. C).

[*Latin ed. p. 54*]

1. p. 15. n. 5., Salas, tract. 13, d. 8, sect. 11, n. 8., Bon. de censur., d. 1., Salm., Schol., tract. 15, d. 13, dub. 1, et Mor., tract. 20, cap. 14, n. 8., Gam., t. 2, p. 194., Isamb., pag. 232., Vasq., 1. 2, q. 123, c. 2, n. 6., Duvall., d. 1, 178.) Also, St. Antoninus, Wigilius, Sainte Beuve, and Gotti, whose passages and words are cited below. These authors state that for every mortal sin, some degree of awareness or suspicion of the malice of the act is required, either in oneself or in its cause, at least in a confused manner. Their reasoning is that nothing is willed unless it is foreseen; therefore, ignorance cannot be imputed as an excuse unless there is at least some confused apprehension of the malice of the object: for he who in no way perceives the malice of his action, or the obligation to be aware of it, cannot, in any way, sin against it by performing the action. With these premises established, I offer my opinion and say that, remaining within the bounds of justice, the aforementioned opinions can easily be reconciled. For if it is said that for all mortal sins, actual and express awareness is necessarily required, this is certainly false; because it can happen that several evils, although not actually and expressly perceived, are nevertheless imputed to guilt, provided that the ignorance of these evils is in some way voluntary, either through negligence, or through passion, or through a bad habit, or through voluntary inconsideration in acting.

[*Latin ed. p. 55*]

Firstly, ignorance becomes voluntary through negligence, as taught by St. Thomas [of Aquinas], 1-2, question 76, article 3, who precedes the rule by saying: "Ignorance which is the cause of an act, because it makes it involuntary, possesses within itself that which excuses from sin, because it is voluntary in the nature of sin." Then, he adds that ignorance can be voluntary "in two ways: either directly, as when someone deliberately wants to

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remain ignorant in order to sin more freely; or indirectly, as when someone, through labor or other occupations, neglects to learn that which would prevent him from sinning. For such negligence makes the ignorance itself voluntary, and the sin, provided it pertains to those things which one is bound to know and is able to learn. And therefore, such ignorance does not entirely excuse from sin. If, however, there is such ignorance which is entirely involuntary, either because it is invincible, or because it pertains to something which one is not bound to know, such ignorance entirely excuses from sin. Note: Such negligence makes the ignorance itself voluntary. Furthermore, note here that the Angelic Doctor, in the words quoted, does not doubt that an invincible ignorance, even of those things which one is bound to know, can indeed occur. He writes elsewhere (De malo, question 3, article 7, ad 7): "Ignorance which is entirely involuntary is not a sin." And this is what Augustine says: "It is not imputable to you as a fault if you are unwillingly ignorant."

[*Latin ed. p. 56*]

If you have neglected to know—But by that which He adds—namely, "but if you have neglected to know"—He makes it clear that ignorance has a sin arising from prior negligence, which is nothing other than failing to apply the mind to knowing those things which one ought to know. And in the same place, in chapter 8, St. Thomas says that ignorance is considered voluntary when a man, either because of the labor of learning or to avoid being hindered from a sin that he loves, refuses knowledge; and thus, ignorance is, in a certain way, commanded by the will. Therefore, in these passages, the Saint does not consider the ignorance of one who does not notice to be blameworthy, but rather that of one who neglects or refuses, by a certain act of the will, to apply himself to learning those things which he is obligated to know concerning a precept that is pressing upon him, as He declares more explicitly in the body of the preceding article, 3, saying: "The cause of ignorance is not applying the mind to knowing; and this very failure to apply the mind to knowing that which one ought to know is a sin of omission." Secondly, ignorance becomes voluntary because of a passion which one wishes to deliberately follow: for those who act according to their passion, every wicked effect connected with that passion will be imputed to them, even if it is not recognized in particular; because when a man embraces a certain passion, he consequently...

[*Latin ed. p. 57*]

He embraces all the effects which commonly result from that passion, which, although not foreseen in particular, are foreseen at least in a general way. For, wishing to satisfy some passion, for example, vengeance, he admits, consequently, at least in a general way, whatever perverse means that may lead to satisfying that passion. Therefore, the effects which result,

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although not voluntary in themselves, are nevertheless voluntary in their cause, namely, in adhering to the passion. Thus, also, St. Thomas teaches (1-2, q. 6, a. 8), where he calls the ignorance of him who acts through passion, the ignorance of evil choice, saying: "In another way, ignorance is said to be voluntary of that which one can know and ought to know; for to not act and not to will is said to be voluntary. In this way, therefore, ignorance is said, either when someone does not consider what he can and ought to consider; which is the ignorance of evil choice, either arising from passion or from habit." He repeats this in the treatise *de malo*, q. 3, a. 20, where he says: "The binding of reason by passion is not imputed to guilt, unless perhaps with regard to the principle of such a passion, which was voluntary; for the will could, from the beginning, prevent the passion from proceeding so far." Furthermore, elsewhere (1-2, q. 77, a. 7), he says: "Sometimes, indeed, the passion is not so great as to completely interrupt the use of reason; and then reason can..."

[*Latin ed. p. 58*]

Firstly, passion may be excluded by diverting the mind to other thoughts, or by preventing it from reaching its proper effect. Secondly, ignorance may be voluntary, due to a corrupt disposition, as is also stated in *Summa Theologica*, loc. cit. (1-2, q. 6, art. 8); and in such a case, the evil acts which proceed from a corrupt disposition are likewise voluntary, either in their cause, namely, when the initial corrupt habit is voluntarily contracted, or rather, because, as I believe, along with Antoine and the author of the book entitled *Istruz. de' novelli confessori*, these sinners, who are accustomed to vice, although they may have less clear knowledge than others, nevertheless always have some actual knowledge of their crimes, sufficient to render their actions deliberate and mortal. For when they commit sin, there is not in their minds that sensible and memorable impression which would be present in another who has a less corrupted conscience; and hence it happens that in their memory there remains no trace of that actual knowledge which they previously had of the sin, or that trace is so slight that when questioned, they easily answer that they did not notice. But a prudent confessor ought not to give them credence. And it seems that the same can also be said of those who act according to their corrupt passions, in whom there is no longer a lack of...

[*Latin ed. p. 59*]

Every knowledge of their own sinful faults, but this knowledge is so obscure in them that it can scarcely be discerned. In Quarten, the manner in which ignorance is voluntary and culpable, as Tann says (vol. 2, doubt 4, question 5, doubt 5, answer no. 103), Antoine (treatise on sin, chapter 4, question 7, in fine), with St. Antoninus, if a man, when acting, negligently fails to apply the consideration that the matter at hand deserves; for

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those who have already noticed (as Antoine rightly says) that something more needs to be considered, and yet wish to act hastily, are rightly held accountable for all the errors they commit. On the other hand, it seems to me entirely necessary to hold that, if ignorance is not voluntary in any of the aforementioned ways, and if a man has no actual awareness of evil or danger, neither directly nor indirectly, neither in himself nor in his cause; then, in no way are the errors imputed to him which he did not notice. The reason is that, for an effect to be imputed to someone, it must necessarily precede (at least in the beginning) an actual and explicit awareness of the evil of the object; for awareness, as rightly spoken by Salm, treatise 20, chapter 13, no. 7, is based on some explicit awareness, just as indirect voluntariness is based on direct voluntariness. Furthermore, interpretative awareness presupposes...

[*Latin ed. p. 60*]

The obligation and power of being warned; but when all explicit warning is lacking, there is no power of warning, and therefore no obligation; for no obligation binds, unless it is first, in some way, acknowledged. You might say: all ignorance in the one who is bound, and who has the ability to perceive his obligation, is vincible, and therefore culpable. But this is correctly responded to by Silv. and Suar., that he who is completely ignorant of the malice of the object, and yet has an obligation to be warned, indeed has a remote or physical power to be warned, but lacks the proximate and immediate power, which is necessary for a man to recognize the deformity of his actions. "Who does not know that it is within a man's power to know?" says St. Augustine, in his book *De Spiritu et Littera*. Therefore, he cannot naturally and in a human way overcome his own ignorance. He will indeed recognize his action as an action, but he will ignore it as being evil; for the mere knowledge of an object in a physical sense is not a sufficient principle for discerning, nor for inquiring into, the object in a moral sense, which indeed differs entirely from the physical. When no such knowledge enters the mind, by which the will can be aroused to seek knowledge, it is not within the power of a man to move himself towards it, and consequently, such ignorance cannot be imputed to a man (in 3. p. t. 5. d. 4).

[*Latin ed. p. 61*]

(sect. 8, n. 18.) And this is what St. Thomas teaches in *Summa Theologica*, 1-2, question 76, article 2, saying: "Therefore, negligence, and the ignorance arising from it, of those things which someone is bound to know, is a sin. However, negligence is not imputed to a person if he is ignorant of things which he cannot know; therefore, this ignorance is called invincible, because it cannot be overcome." But this effort, or diligence, which must be employed to dispel ignorance, as rightly observed by Silv. [Sylvestri] and Richard (Silv. in 1-2, question 76, article 3, conclusion 1, and question

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3, conclusion 1), should not be excessive, but it suffices if it is moral and of the kind that prudent people commonly employ in serious matters; for when doubt arises, the unlearned should consult experts, while the learned should consult books or discuss the matter with other learned individuals. Finally, I observe that this opinion is generally held by authors, not only probabilists (who acknowledge it not merely as probable, but as certain among all, as Suarès writes), but also by anti-probabilists; for the Sorbonne doctor, Sainte-Beuve, says: "If one considers only the act materially or physically, and not formally or morally, then that act is only what it is physically, and not what it is morally; therefore, it is not evil, and in this, there is no malice" (de pecc., d. 5, section 1, article 3). Gotti writes: "Secondly, I say..."

[*Latin ed. p. 62*]

For a sin to be mortal, it suffices that there be an implicit or virtual awareness of the malice of the action, or of its danger. Indeed, the very fact that someone doubts or suspects the malice of their action, or the danger of transgression, and yet, neglecting to inquire into the truth of the matter, proceeds with the action, is considered, interpretatively, to imply that they intend the malice itself (Vol. 2, Tr. 4, on Vices, Q. 1, Dub. 4, § 3, n. 11). Wigilius likewise says: "I say, firstly, that deliberation or awareness is twofold: one is full and perfect, which is present when a person is aware not only of the operation, as regards its natural essence, e.g., eating meat, but also of its malice or the danger of transgressing the law; the other is imperfect, etc. I say, secondly, that in order for something to be imputed to a person as a mortal sin, there must have been full and perfect deliberation" (Tr. 4, ex. 2, on sins, n. 50). Saint Antoninus agrees with this, stating that for a sin to be mortal in a case of sluggish delight, not only deliberation, but also awareness of the danger, is required, with these words: "Therefore, if such complacency remains after sufficient deliberation and awareness of the danger, then it is mortal" (Part 2, Title 5, Chap. 5, at the end). Elsewhere, he says: "A defect in right judgment belongs to the vice of consideration, as it is clear that someone fails in rightly judging because they despise or neglect to attend to those things from which right judgment is derived."

[*Latin ed. p. 63*]

Judgment proceeds (ibid., chap. 11, at the beginning). Furthermore, Cont. Tourn. agrees; for he concludes thus: Therefore, that we may remain within the bounds of truth, we believe that he who does not perceive the malice of sin, either through a natural distraction or for a similar reason, is not bound by sin. Thus, the penitent person will be excused who does not fulfill the prescribed penance through forgetfulness. But something else must be said concerning actions which men, absorbed in worldly things, performing or omitting, while serving their passions, accustomed as they are to the point that they do not even consider themselves not to

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be considering (vol. 2, on sin, chap. 4, art. 1, p. 283, at the beginning). But we have already admitted the same above, in nos. 28 to 31. Furthermore, Antoine agrees, who, speaking of ignorance, says that inattentiveness or inconsideration is blameworthy in him who omits due diligence, or who acts hastily, already aware of the matter, and who requires greater consideration, or who, in a positive act, wishes to follow a passion that impedes attention. On the contrary (he says), if attention is invincible in a person who has due habitual knowledge, he is entirely blameless, and excused from sin for those things which resulted from it, against the law: because the malice of the act is then, in no way, not even interpretively, voluntary; for without the power of knowing, there cannot be will (on sin, chap. 4, q. 7).

[*Latin ed. p. 64*]

Therefore, it must be concluded that the opinion of those (if any are present) who assert that all errors committed by one acting against the law should be imputed to him, even if there has never been any actual awareness, neither direct nor indirect, of the evil, either in himself or in the cause, at least in a confused manner, but only an interpretative awareness, consisting solely in the fact that he ought and could, through physical and remote power, have recognized the evil; this opinion cannot in any way be sustained. Otherwise, it would follow that many people, burdened by many grave mortal sins, would find that they had never had any knowledge of them. They would say that those people deserve the punishment of other sins, such as for their unbridled desires, for not fulfilling the obligations of their own state, and for other negligences, the deprivation of the light by which they would otherwise have clearly recognized the evil of their actions; and therefore, all their errors would be imputed to them as sins. But in order for this argument to be valid, the presupposed proposition would first have to be proven, which is not at all proven to us; for, because of other defects, God will deprive someone of his further light, so that he would remain subject to temptations and passions, unless he failed in other things. Therefore, that deprivation would cause such a person to fall into sins which he sufficiently recognizes as sins; but it would not cause him to be imputed errors of which he has no knowledge whatsoever.

[*Latin ed. p. 65*]

Now, whether explicitly or implicitly, he acknowledges his faults: for where there is no knowledge, there is no freedom; and where there is no freedom, there is no sin. They will object: but St. Thomas (lect. 7, in cap. 1, epistle to the Romans) says: If ignorance is caused by fault, it cannot excuse the subsequent fault. But this, we say, must be understood of voluntary ignorance in some way, as explained above by the same Angelic Doctor. Furthermore, the Doctor speaks there of unbelievers, who, erring in faith,

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are rightly held culpable for all the evils they commit, because of their certainly culpable ignorance. Moreover, if all a man's errors are imputed to him without any warning, even though he, having already used due diligence, judges that he is acting correctly, it would follow that it would not be sufficient to act honestly by following opinions that are neither safe, nor more probable, nor even morally certain. But this cannot be said, since proposition 3, which stated: "It is not permissible to follow the most probable opinion among probable opinions," has been condemned by Alexander VIII. We will now briefly address the lengthy objections of our adversaries. They object, first, citing *reg. 13, juris in 6*, where it is said: "Ignorance of fact, not of the law, excuses." But Silv. (1. 2) responds well to this.

[*Latin ed. p. 66*]

(q. 76, art. 3, qu. 1, concl. 7.) This must be understood to apply to civil laws, as the Glossa already explains; indeed, in the judicial forum, after the promulgation of the law, the ignorance of the transgressors is ordinarily presumed to be vincible, unless there is some reason that would lead one to presume the contrary, as is stated in c. In tua, title: Qui matrim. accus. etc. They object: 2º That if actual awareness were required for all sins, the Jews who crucified the Lord, the pagans who killed martyrs, and the heretics who commit countless crimes would be considered blameless. But to all of these, the answer is given in a single word, namely, that the ignorance of all these was and is utterly crass. For when Christ the Lord spoke of the Jews, He said: "If I had not done among them the works that no other man hath done, they would not have sin: but now they have both seen and hated both me and my Father." John 15:24. The same must be said of the infidels and heretics, to whom all their errors are justly imputed as guilt because of their malice or their supine negligence. They object: 3º That the opinion requiring some actual awareness does not differ from that which maintained that a philosophical sin was immune from theological guilt. But it is answered that therefore the aforementioned opinion was rejected by Alexander VIII., because he who acts against right reason, as is supposed in a philosophical sin, even if he does not consider...

[*Latin ed. p. 67*]

To offend God is, in itself, already to offend Him; for by offending the rational nature, one offends simultaneously the Author of that very nature. But in such a sin, it is always required that a man be aware that his action is contrary to right reason. What, then, is common between a philosophical sin and that action in which one, in no way, even in confusion, perceives it to be evil, and perhaps even sometimes considers it to be good? This concerns awareness; let us pass on to consent.

II. Concerning Consent.

5. It is certain that sin is committed by the will, as all teach, along with St.

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Augustine and St. Thomas [Summa Theologica, 1-2, q. 74, a. 1]. But here it must be noted: 1st, that for a mortal sin, perfect consent, or deliberation of the will, is absolutely required. This is certain and common among the Doctors, even those of stricter opinion; thus, the most rigorous Contenson, in his theology, volume 1, page 164, specification 3; Cont. Tourn. volume 2, page 284, verse; Council, volume 10, page 508, note 7; Wigand, translation 4, example 2, note 44; General Translation, volume 1, chapter 9, on sin, question 12, at the end, where he says: "Since sin proceeds only from the will, if deliberation is imperfect, the sin will be only venial." Also Navarrus, Samuel, chapter 16, note 8, where it is said: "To constitute sin, an integral judgment is required, from chapter 1, on the delicts of children." Also Salm, translation 26, chapter 11, note 5, along with Cajetan, Vasquez, Sanchez, Palearius, and countless others.

[*Latin ed. p. 68*]

From St. Thomas Aquinas, *Summa Theologica*, 1-2, question 88, article 6, where he teaches: "That which is mortal can be venial because of the imperfection of the act; because it does not fully reach the perfection of a moral act, since it is not deliberate, but sudden." The same Doctor teaches in the 4th part, distinct 9, question 1, article 4, where he says: "The pollution of a semi-dormant person is mortal when it is with deliberate consent, knowingly accepted." Also, St. Antoninus, 2nd part, page 11, title 6, chapter 5. And he explains the reason more clearly in the aforementioned passage, saying that perfect deliberation is required for mortal sin, because our movements are culpable to the extent that they are voluntary; and to the extent that they are perfectly voluntary, to that extent they are deliberate. Furthermore, for mortal sin, which is a complete and consummated guilt, perfect voluntariness is required.

It should be noted that consent can be expressed, whether directly and explicitly, or indirectly, when someone wills the cause from which a necessary effect arises; for then, if he wills the cause directly, he also indirectly wills the effect.

It should be noted that after the intellect has been informed, the will can be directed towards the proposed evil object in three ways: 1st, by positively consenting to it; 2nd, by not consenting nor resisting, but only by being negatively disposed; 3rd, by positively resisting.

[*Latin ed. p. 69*]

6. Hence arises that great question among Doctors, whether one sins gravely who has a negative disposition and does not actively resist the movement of the sensitive appetite concerning an object forbidden under mortal prohibition. It must be stated, with certainty, against the innovators, that the movements of sensuality, without any consent of the will, are not deadly, according to the Council of Trent, Session 5, on Original

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Sin, where it is said: "St. Syroetus declares that the Catholic Church has never understood that concupiscence, which the Apostle sometimes calls sin, is called sin because it is derived from sin and inclines towards sin; but if anyone thinks otherwise, let him be anathema." Indeed (whatever Cajetan and Gonnerius may say), it seems certain that such movements are not even venial, according to the same Council, Session 5, where it is also said that concupiscence does not harm those who do not consent to it, and who, with courage, oppose it through the grace of Christ: see Wigand, Tractate 4, example 2, number 44. Therefore, regarding the question, there are three opinions. The first, with Valois, Lessius, Vasquez, etc., as found in Salm's Treatise, Volume 20, Chapter 15, number 13, affirms that one does sin gravely, even if the danger of consent is absent. The reason for this is that the will is bound not only not to consent, but also to resist the disordered movements of the sensitive appetite. The second opinion, with Tamburrini and others, as found in Croix's book, Volume 5, example 109, says that such...

[*Latin ed. p. 70*]

Even to sin venially, the danger of consent being removed. But this opinion is commonly rejected by Salm. n. 14, and therefore they rightly say that it is not to be held in practice at all by Croix. The third and true opinion, held by S. Th. q. 15. a. 4. ad 10., Sanch. dec. l. 1. c. 2. n. 13., Gers., Pal., Rodr., Gran. and Salm. loc. cit. n. 15 and 16, is that, when the danger of consent is absent, it is a venial sin not to resist positively illicit motions, but not a mortal sin. And this seems to be expressly confirmed by S. Th. 2. 2. q. 74. art. 4., where he says: "A mortal sin cannot be in sensuality, but only in reason." Therefore, the reason is, firstly, because consent to sin gravely does not arise from appetite, but from the will, which, since it does not positively consent, does not commit a mortal sin; and therefore, it is a venial sin in as much as a man ought to take care lest appetite draw the will after it. But this obligation, when the danger of consent is not near, is only a light one; secondly, because if we were bound to positively repel all disordered motions under a grave condition, we would be bound to the impossible; for it is impossible (as Cajetan says) to positively coerce all these motions taken collectively. 7. However, from these things it is inferred that when sensual delight arises, we are bound to positively resist it, because of this kind.

[*Latin ed. p. 71*]

Disturbances, when they are vehement, usually, if they are not positively repelled (at least by the act of simple aversion), draw with them the consent of the will: thus Croix, book 5, number 109, and Bus. under title 2, article 2, at the end; Holzmüller, volume 2, page 325; Silvestri, book 1, question 74, answer 2, question 1; Tournhem, book 3, question 129; and Sporer, book

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1, page 81, number 14; and Salm, number 19, with the common Doctors. It should be noted here, firstly, that it is very helpful in repelling carnal temptations, as far as sensation is concerned, to restrain the disturbances, to cover and compress the agitated parts, as a certain modern author observes. As for the mind, in order to preserve it from consent, it is certainly helpful to meditate on the Passion of Jesus Christ, or on the pains of hell, or on death, etc., and also on the torment of remorse that the soul suffers after a sin has been committed. Moreover, it will be more necessary in such concupiscences to have recourse to prayer; for chastity is obtained only from God, as Solomon confesses in Wisdom 8:21: "And I said: 'For otherwise I could not have been chaste, unless God had given me help.'" And as I knew, because otherwise I could not have been continent, unless God gave [help], etc. And ordinarily, God gives only to those who ask, as it is written in John 16:14: "Ask, and you shall receive." Therefore, implore help from the Lord, from the Immaculate Mother, from the saints who love purity, such as St. Aloysius Gonzaga, St. Philip Neri, etc.

[*Latin ed. p. 72*]

To all, however, it will suffice, and it will be a more fitting remedy, because it is briefer and easier, to confidently and repeatedly invoke the venerable and most powerful names of Jesus and Mary. It will also greatly help to elicit a fervent act of love towards God, by renewing the resolution to rather undergo death than to sin. It is also sufficient, in the act of disturbance, to divert the mind to other things, since this also constitutes a positive resistance; as is well noted by Spor. p. 82, n. 16, Tourn. t. 3, p. 531, Contens. t. i, p. 164, spec. 3, and Croix, l. 5, n. 111. And if the movements are slight, it will be better to disregard them without positive resistance. Croix, ibid.; Bonasp. 9, Notandum 2º. It must be noted that there is no obligation to positively resist carnal movements, if there is a just reason for not resisting, namely, if one has experienced that by resisting, the movements are more excited and increased; or if the movements arise from a necessary or useful action, for example, from hearing confessions, from reading scandalous things for the sake of useful knowledge, from touching someone necessarily for medical treatment, and the like. For then, on the one hand, we are not obliged to neglect the cause of the movements, as teach the Doctors in common with Spor. p. 81, n. 15, Contens, in the place cited, and Salm. c. 13, n. 26, Croix, l. 5, n. 111, Suar. and others; and on the other hand, we are not obliged to positively resist those movements, if it is not easily possible to repel them. Therefore, in such cases, it is sufficient to resist negatively.

[*Latin ed. p. 73*]

He should never consent to anything that is contrary to the purpose of Fermo; for the very actual care of not consenting is sufficient to free a man from mortal sin, at least, even if the resistance is tepid, as Tollet, Laínez,

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etc., say, following Salmeron, *De Casibus*, book 1, chapter 13, number 20. However, Croix, *Loc. Theol.*, book 5, with Azorín and Sánchez, seems certain that in the aforementioned case, when temptation lasts a long time and it would be excessively troublesome constantly to repel the positive motions, it is not sinful to allow oneself, negatively, to be led. And thus, Tournhem advises, *Moral. Theol.*, volume 3, page 531, conclusion 2, for those who are of a timorous conscience. Here, some things must be noted concerning sins of omission: and it must be noted first, with St. Thomas and Salmeron, *Moral. Theol.*, chapter 10, number 11, that for any sin of omission, a positive act of the will is required; for the will is not exercised, nor does it sin, except through an act. Secondly, acts that accompany omission, such as playing or eating, while, for example, reciting the Rosary is omitted, are not sinful, unless they are the cause of the omission; for example, if the game is the cause of omitting the Rosary. Thus, Salmeron, *De Principiis Moralis*, chapter 10, number 16, Cornaro, Montes, etc., say. But then, acts that influence the same malice of the omission, impart the same malice, and not a different one, as Contraro, Tournhem, *Moral. Theol.*, volume 2, page 353, verse 2, says, following Lugo, Becerra, Bona, Azorín, and Fillón.

[*Latin ed. p. 74*]

Psalm 10, with others and in common: therefore, it suffices then to confess only the omission. But if the action which is the cause of the omission is also a grave sin, namely, if someone omits the sacred office for the purpose of theft, then theft can be mentioned in confession separately from the omission of the sacred office, because then the theft is not anything other than an aggravating cause, and not a change in the nature of the sin. Thus, Navarrus, Luguanus, D'Aranda, Leander, with Salm, chapter 10, number 21, against Cornelius, 10, Note 3. To be noted is that the sin of omission begins to be imputed from the time when, being aware, one puts forth its cause. Thus, it is said with Sanchez, Bonaventure, Fillon, Becanus, etc., in Salm, chapter 10, number 22, against Silvestrius, Palatinus, etc., who hold, but improbably, that sin is not committed unless the sacred office is truly omitted. Furthermore, it must be said that a voluntary omission in the cause is also imputed to the sin, even if the will cannot afterward operate, for example, if someone becomes intoxicated, foreseeing that, because of the intoxication, he will omit Mass, then he is bound to confess the cause and the effect of that intoxication, namely, the intoxication itself and the omission of the sacred office, as is better said by Salm, number 28, with Soto, Sanchez, Palatinus, Leander, and others in common (against Vasquez, Bonaventure, Layman, etc.): provided that the will does not retract before the subsequent effect, as is probably taught by Sanchez, Azorinus, Villalobos, and Salm, number 29, etc.; for then it is probable that one is not held

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to confess.

[*Latin ed. p. 75*]

The following effect is observed. See the aforementioned passage, book 4, number 149. From this, it is also deduced that if the effect occurs after retraction, the censure imposed upon the sinners is not incurred, because this censure requires obstinacy in the act of sin. See the aforementioned passage, book 7, number 40.

II. The question arises: whether this is a venial sin against divine law. It appears that St. Thomas [Aquinas] denies this in *Summa Theologica*, 1-2, question 88, article 1, ad 1, stating that it is not against, but rather *besides* the law, because it does not observe the mode of reason which the law intends. However, Estius, Vasquez, Soto, Medina, and Azorín, as cited by Salm, *Tractatus de Principiis Moralis*, chapter 8, on sin, number 4, affirm the contrary. And the reason for this affirmation is very compelling; for a venial sin is truly forbidden by God, as Ecclesiastes chapter 7 states: "Do not wish to lie." And Matthew 5: "Do not swear at all." Therefore, a venial sin is also against the divine precept. And this is the true opinion; for, as Salm rightly explains in the aforementioned passage, number 6, St. Thomas distinguishes between the substance of the law and the mode of the law. Therefore, although a venial sin is not against the substance of the law, it is nevertheless against the mode of the law to be observed (which mode is certainly also prescribed by divine law) when it is contrary to right reason. Therefore, it is always true that a venial sin is against the law of God, if not substantially, then, so to speak, modally. Some discuss this in relation to original sin, and...

[*Latin ed. p. 76*]

Its effect; but because this matter does not pertain to the present institution, you can consult the Scholastics who treat of it. Concerning, however, the censures pertaining to the opinion regarding the conception of the Blessed Virgin, see the dissertation in book 7 on censures, from number 244. It should be noted, however, that the proposition which stated that a philosophical sin, namely that fault which is recognized as being against reason, but not against divine law, is not a mortal sin nor deserving of eternal punishment, namely: "That it is a grave sin in one who either ignores God or does not actively think of God, but that it is not an offense to God, nor a mortal sin dissolving friendship with God, nor deserving of eternal punishment," was condemned by Alexander VIII. And rightly so; for he who knows that his action is contrary to rational nature, also recognizes, at least confusedly, the injury he inflicts upon God, who is the Author of nature.

SECOND DOUBT. WHETHER AND HOW DESIRES AND

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DELIGHTS ARE SINS.

For a desire is understood as the will, intention, or effective purpose of an evil thing; and for a delight, as a simple love and complacency in the object considered, enjoying its fruit.

[*Latin ed. p. 77*]

The sweetness, without the desire for its execution, is often called slothful, not because of the delay of time, since it can be completed in a moment, but because the will, after full deliberation of reason concerning it, lingers.

ARTICLE FIRST. WHAT SIN IS THE DESIRE OF EVIL.

12. Whether the desire takes on the appearance of an external act.

13. Whether the desire for an evil object, with a conditional consent, is a sin.

14. Whether delight in an evil object is illicit, even if the consent is conditional.

12. *Response.* 1. o Absolute desire, or thought, with the will absolutely consenting to committing a sin, or to being pleased by a sin already committed, has the same species and malice of mortal or venial sin as the external act to which it leads. This is common; and it is clear from Matthew 5: "He who looks upon a woman to lust after her..." The reason is that the interior act has its goodness and malice from the external act, as from an object. Thus, [the commentators say].

13. *Response.* 2. o Desire with a conditional consent, in which someone desires something under such a condition that it removes all malice from the object, is not a sin, at least not a mortal sin: for example, "I would like to be endowed; if it were permitted to me by God; if I were a judge, the criminal." *Lig. Theol. Mor. T. VIII.*

[*Latin ed. p. 78*]

"I would kill him." (Valent., s. 2, d. 6, q. 4, p. 4; Sayr., Salm. in 1. 2. tr. 13, d. 10, s. 27; Vasq., d. 116, c. 2). If, however, the condition does not remove the malice, it is a sin; for example, if one thinks: "If there were no hell, I would be lazy; if I were not religious, I would commit fornication; if I did not have reason to consider my state, I would seek revenge, I would kill you; if you had done this to me in my youth or before entering religion, I would seek vengeance." Understand that if, while saying these things, one has the intention of taking revenge, if he were in such a state; otherwise, it is different if he only shows what he would have done in another state. (Bon., de matr., q. 4, p. 8, n. 9). The reason for this response is that, although a conditional consent adds nothing to the matter itself in terms of the object of the will, it does place in the will the affection of committing that sin, the

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precise condition not removing the malice; and therefore, the guilt will be such as it would have been to desire that thing without condition. (Caj., Sanch., l. 1, mor., c. 2; Vasq., Laym., l. 1, tr. 3, c. 6, n. 10).

1. In all things only prohibited by positive law, the desire with the condition "if it were not prohibited" is licit, for example, "I would eat meat on Friday, if the Church did not forbid it." The reason is that the condition removes all malice that arises from the mere prohibition. (Azor., l. 4, c. 6, q. 10; Sanch., l. 1, c. 2; Vasq., d. 16, c. 2).

[*Latin ed. p. 79*]

2. The same holds true for things which are indeed forbidden by natural law, but which are licit in a certain circumstance or condition, if that condition is added: for example, I would kill Peter, if God commanded it; I would suspend a thief, if I were a judge; I would take a wife, if it were permitted, if I were free from a vow. The reason is that these things are licit under that condition. However, St. Augustine rightly warns that desires of this kind are dangerous and to be avoided, and that, as Cajetan states, they are foolish and diabolical temptations: ibid. and Layman, book 1, volume 3, chapter 6, number 10.

3. Although certain authors, such as Cajetan, Salm, and Vasquez, universally affirm that all things forbidden by natural law, and simply forbidden, are not sinful if an impossible condition is added which removes the reason for sin from the object, as if one were to say: "If it were not a sin, I would commit adultery"; because then, it does not seem that the will is directed towards evil. However, it appears more probable that what Azor, Sanch, and Layman teach is correct, namely, that it is a sin, because it is intrinsically evil and cannot be stripped of its malice (which, in the case of such an object, would draw the will towards evil, unless the law of God prevented it), and therefore, the will is directed towards evil. However, understand this, if it is effectively directed; because if it is only a signification of a natural inclination towards that object, it is not a sin. Sanch, book 1, chapter 2, number 25; Layman, book 1, volume 3, chapter 6, number 11; Lugo, decision 16, number 377.

[*Latin ed. p. 80*]

Wherefore, does one sin who desires some evil object under the condition that it would be permissible? It must be distinguished: if the condition removes the evil from the object, then one would not sin, at least not grievously; and this can happen not only in prohibitions of positive law (as when one would say: "I would eat meat in Lent, unless the Church forbade it"): but also in prohibitions of natural law, in the case where the object could be licit, namely, by saying: "If God permitted, I would steal that thing from Titus; unless I were a priest, I would take a wife, etc." Thus, as Bus., supra, Sanch., dec., lib. i., cap. 2, no. 24, Laym., lib. i., tract. 3, cap.

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6, no. 10, Spor., t. i., p. 82, no. 18, and others commonly say. We have said: at least not grievously; for ordinarily, desires of this kind are not excused from venial sin, since they are commonly dangerous or at least idle. One would, however, sin mortally when the condition does not remove the evil from the object, namely, by saying: "I would sin, if there were no hell; I would kill my enemy, if I had a sword; I would commit fornication, if I were not a religious." This is certain among all; so also say Sanch., loc. cit., no. 23, Spor., no. 20, and Laym., no. 11, along with Adr. and Azor., that one sins in such conditionally expressed desires when the evil cannot be separated from the object; for example, if one were to say: "If it were not a sin, I would blaspheme, curse, commit adultery, fornicate, seek revenge, and the like;" because these things are...

[*Latin ed. p. 81*]

Intrinsic evils can never be free from sin. Therefore, Layman holds that one cannot be excused from grave guilt who, with deliberate and efficacious will, desires such objects, even if under a condition, should they be permissible. However, it is sufficiently probable, as Bonaventure teaches in *De Matrimonio*, book 4, chapter 8, paragraph 21, and as Valentinus and Suarez teach in *Palatii*, volume 1, treatise 2, chapter 3, paragraph 10, section 3, number 4, and as Salmeron, Vasquez, Sayr, and Salm teach in treatise 20, chapter 13, number 62, and as Cajetan, Tapia, Salas, and others teach, that when the will desires a wicked object under a condition, should it be permissible, it never truly and effectively consents to it; for when you desire that object by saying "if it were permissible," and you know that it is not, nor can it be, permissible, you do not truly desire it, but only show your inclination. Something else would be the case if you desired that wicked object to be not prohibited; for, as Salm teaches in chapter 7, with others, it is inherently evil to will the overturning of the order and law of nature. Thus, the aforementioned opinions can be reconciled.

14. To rejoice and be delighted in a wicked act under a condition (if it were permissible), for example, in the aforementioned efficacious and illicit desires, when the condition is possible, may excuse one from sin according to some Doctors, if it is done only according to rational appetite or will (excluding all other dangers of consent to an illicit and base impulse, which, because...

[*Latin ed. p. 82*]

It commonly and naturally follows [the will], and it scarcely seems safe in practice; nevertheless, it cannot be excused if it is a voluntary delight of the sensitive appetite, which is properly called delight and which commonly occurs with some alteration of the body. The reason for the distinction is this: the will can be led to an object abstract from malice, following the intellect, whose function it is to abstract; but the appetite, because it

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follows the imagination, is not led to an object under any certain condition of state or time apprehended, but as it is in itself; therefore, such a delight is of an object absolutely evil. See Layman and Bona, *De Matrimonio*, question 4, page 8.

However, it is more truly said that, even setting aside the delight of the sensitive appetite, any delight derived from an object that is here and now intrinsically evil is, in itself, illicit, as held by Sanch., *Doctor*, book 1, chapter 2, number 5; Az., volume 1, book 4, chapter 6, question 1; Salm., chapter 13, number 61; Ronc., *Tractatus*, 2, chapter 3, question 3; and Layman, Suar., *Apud Croix*, book 5, number 82. The reason is, as Croix rightly says, that although consent is conditioned with respect to the object, with respect to delight it is absolute; and since delight renders the object present, here and now, that object, when it is separated from a conditioning circumstance, is simply evil: therefore, the will is delighted by an object that is here and now simply evil, and therefore it cannot be excused from sin.

[*Latin ed. p. 83*]

To be excused. See the following note, number 24. Otherwise, it should be said differently if someone were to say: "I would enjoy this, if it were not evil"; as rightly say the Salm, chapter 12, number 61, with Az., Pal., and the common opinion.

ARTICLE SECOND. WHETHER MORBID DELIGHT IS ALWAYS A SIN.

15. In what respect do desire, joy, and delight differ? What if someone is delighted by a marriage, but not because it is a marriage?

16. When is delight a sin?

17. In what respect does delight in an evil thing differ from delight in the thought of an evil thing?

18. Is delight concerning the manner of doing evil a sin?

19. Is it permissible to rejoice in a good effect that follows from an evil act?

20. What if the act is formally evil, that is, committed with sin?

21. Is it permissible to be delighted by the evil of one's neighbor for a good end?

22. Is it permissible to desire the death of a daughter, if she cannot marry because of her infirmity, etc.? And is it permissible to desire one's own death in order to avoid a life that is exceedingly difficult?

23. Is it permissible for married couples, betrothed, and widows to be delighted by the act of marriage?

24. Especially concerning betrothed and widows.

25. Is it permissible for married couples to be delighted by the act of

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copulation, if one spouse is absent?

26. How many sins are committed by one who boasts of having committed a sin?

27. Is delight in a thing that is forbidden only by positive law permissible?

[*Latin ed. p. 84*]

28. What is to be explained concerning delight: 29. Does one sin by performing an action from which one understands that carnal delight will arise?

15. It must be noted, above all, concerning wicked thoughts, that desire, delight, and sluggish delight are different things. Desire is an act of the will, looking to the future time, in which one deliberately intends to accomplish a certain deed, for example, fornication. And this desire is said to be effective when one undertakes means to bring it to effect; it is ineffective, however, if one does not intend to carry it out, but consents that it be carried out if it were possible, as, for example, if one were to say: "If I could steal the treasure of the Church, I would steal it." On the contrary, delight refers to the past, and it is when one is pleased with a wicked deed committed. Sluggish delight, finally, refers to the present time, and it is when, through imagination and fantasies, one presents to oneself the present act of sin, namely, the act of fornication, and one delights in it with deliberate consent, as if one were actually committing fornication, without, however, desiring to carry it out. It is very probable, as Lugonius states in *de pœn.*, disp. 16, c. 6, n. 347; Bonaventure, *de matr.*, q. 4, p. 8, n. 3, with Spotorius, t. 1, p. 84, n. 24; Laïne, l. 1, tr. 2, c. 6, n. 15; Azorín, lib. 4, c. 6, q. 3; Tamés, *dec.*, l. 10, c. 3, n. 3; Palafox, *tr.*, 2, d. 2, p. 10, §. 14, n. 2; and also Vasquez and Sayrere.

[*Latin ed. p. 85*]

Regulations, Canon Law, from Salm, book 20, chapter 13, paragraph 30, which contradict paragraph 31, along with Cajetan, Lessius, Sanchez, Roncaglia, etc. These authors hold that if someone is delighted by the act of union with a married woman, not because she is a married woman, but because she is a beautiful woman, etc., then they do not commit the sin of adultery; for the circumstance of adultery does not enter into the delight at that time; therefore, only chastity, and not justice, is violated. And Tamburrini states this with probability, if someone, with a venereal impulse, without desire, looks upon a married woman. However, notwithstanding this, I greatly approve of what Holzmüller says in volume 1, page 316, paragraph 698, namely, that although, for the sake of delight, there is no obligation to explicitly consider the circumstance of adultery, it is nevertheless necessary to consider, for the sake of avoiding the proximate danger of concupiscence (at least ineffectively), that married woman, to

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which one attaches oneself who is delighted by her. But there is no doubt that adultery is committed whenever there is joy or pleasure taken in the act of union, or a desire for the act of union, with one's spouse; because then the will embraces the entire evil object with all its circumstances, and cannot separate itself from them, and therefore violates chastity and justice. Likewise, if someone is delighted by a sodomitic act. Likewise, if the person who is delighted is bound by a vow of chastity, they also sin against the vow. These are certain points, as stated by Tamburrini in book 10, chapter 3, from paragraph 2.

[*Latin ed. p. 86*]

16. "Response. 1stly. If a sinful thought is terminated in itself, it is either a mortal sin or a venial sin, according to whether the thought itself is mortal or venial. Thus, according to the *Summa Theologica*, 1st Part, 2nd Question, 27th Article, 8th Point."

17. "I said 'in itself,' because if the delight is only from the thought itself, and not from the action, it is not a sin. For, just as a thought, for example, about obscene things, in order to teach or to preach, etc., is good; but a thought about the same things out of curiosity is venially bad; so, consequently, delight from such a thought, as an object, is not bad, but sometimes good, and sometimes venially bad.

Therefore, there is delight in a sinful action, so that the sinful action is the object of delight, which is always bad; there is delight in a thought about a sinful object, so that it is not the sinful action itself, but the thought about the action that is, in itself, the object of delight. And this can be good, if there is a just reason for thinking about it, for example, the cause of study, consultation, etc., with an aversion to the object; or it can be venially bad, if it is done out of curiosity, etc.; or it can sometimes be very bad, if there is a near danger of consent. Thus, St. Thomas says, 1st Part, 2nd Question, 74th Article, 8th Point: 'If, therefore, someone thinking about fornication can be delighted by the thought itself, or by the action itself...'"

[*Latin ed. p. 87*]

Concerning the thought of fornication: The delight derived from the thought of fornication (as when someone wishes to speak about it or argue about it) is not of the nature of mortal sin, but sometimes it is venial, and sometimes it is no sin at all. However, it is said to be mortal when someone, thinking about fornication, delights in the very act that is being thought of. And generally, the Doctors, namely St. Antoninus, Lessius, Sanchez, Bonaventure, with Salmeron, *Tractatus de Peccatis Mortalis*, 20, chapter 13, number 27, 18, follow this. "Similarly, there will be no sin if the delight pertains to the manner of doing evil, and not to the evil act itself: just as we are often delighted without sin by stories, comedies, *bella* (Buschbell), murders, deceptions, thefts, and the fall of a man, for example, from a

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horse, etc., not according to themselves, but according to the ingenious and industrious manner of stealing, seizing, or the unexpected manner of falling. Layman, *Moralium Libri*, 1, book 3, chapter 5, number 2. (Thus, Sanchez, Bonaventure, Azorín, Palencia, and Sanchez, *Tractatus de Peccatis Mortalis*, 20, chapter 13, number 39, generally.)" Therefore, it is resolved: 19. "1st. It is licit to rejoice and to be delighted sorrowfully at a good effect that follows from an evil act; because the delight is not from the evil object. 2nd. If such an effect has followed from an act that is evil in itself, but nevertheless, at this time, without guilt, as, for example, because it was done in sleep, in madness, in drunkenness, or in excusable ignorance, then even from the very act itself."

[*Latin ed. p. 88*]

It is sometimes permissible to experience delight, not in itself, but because of the good effect that results from it, as Lessius teaches in book 4, chapter 3, paragraphs 105 and 106, drawing from Vasquez, book 1, part 2, chapter 105, section 2, for example, concerning the natural release that occurs in sleep. The reason is that the object of this delight is not evil. See Bonaventure, *De Matrimonio*, question 4, paragraph 8; Sanchez, book 1, moral theology, chapter 2, paragraph 18; Lugo, *De Poenitentia*, book 19, paragraph 189. Furthermore, they add that it is sometimes permissible to desire (with a simple and ineffectual desire) that something happen, without sin, for example, that a natural release occur in sleep, for a good purpose, provided that the desire is not so intense as to probably cause that thing to happen, nor is there a danger of consenting to such pleasure. They argue that the object of this desire or delight is not evil. See Lessius and Bonaventure, *loco citato*.

Therefore, the question arises: Is it permissible to experience delight in a bad act because of a good effect that follows from it? We must distinguish: If the act is formally evil, that is, if it was performed with sin, then the one who experiences delight in it sins, even if he experiences delight in the bad act, not as a result of the sin itself, but as a result of the good effect that follows. This is entirely to be held according to Soto, Tapia, Ronquillo, and Salmeron, *Tractatus de Actionibus*, book 20, chapter 13, paragraph 47, contrary to Vasquez, Lessius, Palencia, and Bonaventure, *ibidem*. However, if the bad act was performed without sin, Lessius and Vasquez, to whom Busenbaum adheres, hold that it is permissible to experience delight in it.

[*Latin ed. p. 89*]

It is not evil in itself, but as a cause of a good effect. However, it is more correct to hold the opposite, as stated by Sanchez in *Decreta*, Book 1, Chapter 2, paragraph 16; Tourniel, Volume 1, page 600, conclusion 3; Azorín, *Crux*, Book 5, paragraph 91; Roncaglia, *Tractatus*, Book 2, Chap-

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ter 3, question 4, response 11; and Salm, Chapter 13, paragraph 49. The reason is that, although the action may not be sinful, it was nevertheless objectively evil; and this, as rightly noted by Salm, paragraph 59, and by Roncaglia and Azorín, does not seem to be any longer a matter of doubt after proposition 15, condemned by Innocent XI, which stated: "It is permissible for a son to rejoice in the parricide of his parent, committed by him in a state of drunkenness, because of the immense wealth derived from the inheritance." Nor does the teaching of St. Thomas in the 4th Distinctio, 9th Question, article 4, question 1, ad 5, present an obstacle, where the Doctor says: "But if it pleases [that is, nocturnal emission, of which he is speaking], as a release or alleviation of nature, it is not considered a sin." And Navarrus, Lessius, Sandoval, Sanchez, and even Salm, Chapter 12, paragraph 52, follow him in this. For, as Sanchez, paragraph 18, Salm, and Roncaglia rightly state, St. Thomas is speaking of a purely natural emission, which naturally arises from nature releasing itself; and therefore, since it is not objectively evil, it is not forbidden to rejoice, not indeed in the delight caused by it, but in the release obtained through it. On the contrary, it is not permissible to rejoice in an objectively evil act, namely, in nocturnal emission, which...

[*Latin ed. p. 90*]

Whether it arises from contact or from a shameful dream; for then these would be objective evils. Otherwise, they say, as in Psalm 54, if it comes from moderate food or from a useful study, etc.; for then the pollution would also be natural, and it would be permissible to take pleasure in it, provided that there is no disturbance of the spirit. But this does not please me. However, in any case, it is permissible, in itself, for each person to take pleasure, not in the case itself, but in the effect that follows, namely, in the relief caused by the pollution, even if voluntary, or in the inheritance received because of a murder, provided that the cause is detested. I said "in itself"; for such pleasures sometimes are not without danger, as rightly say Ronc. l. c. resp. 1. in fin., Salm. tr. 20. c. 13. n. 46. 21. Quær. 2º: Whether it is permissible to take pleasure in the evil of another for a good end. Here are two propositions, condemned by Innocent XI, Prop. 13, which should be noted: "If, with due moderation, you can, without mortal sin, be saddened by the life of someone and rejoice in their natural death, and desire and wish for it, not from dislike of the person, but for some temporal advantage." Prop. 14: "It is permissible to desire the death of one's father with absolute desire, not as the evil of the father, but as the good of the one desiring; because, indeed, a rich inheritance will be obtained."

[*Latin ed. p. 91*]

The propositions were indeed rightly condemned; for, according to the order of charity, we are bound to prefer the temporal well-being of our

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neighbor to our own. However, he is not to be condemned who rejoices in the result obtained, namely, in the inheritance received from the death of another, if he does not rejoice in the cause, that is, in the death itself; although the matter is dangerous, as we said above with Salm. and Ronc. It is permissible to rejoice in the misfortune of a neighbor for a greater good of that person or of an innocent, namely, if one is pleased by the infirmity or even the death of a neighbor, so that he may cease from sins, from scandals, etc., as well say Tourn. vol. 3, p. 338, Ronc. ibid. with Bon., Reg. and Salm. chap. 13, no. 43, with Nav., Bon., Tol. etc. And this is expressly taught by St. Thomas [Summa Theologica] 3. sent. dist. 30, q. 1, art. 1, ad 4, where he says: "Since charity has an order, and each one ought to love himself more than others, and those who are close to him more than strangers... it is possible, without losing charity, to desire the temporal misfortune of someone and to rejoice if it happens, not insofar as it is an evil for him, but insofar as it is an impediment to the evils of another whom he is more bound to love, or of the community or of the Church." Furthermore, St. Gregory writes: "It often happens that, without losing charity, the ruin of our enemies may please us, and again, the glory of that same person may sadden us, without guilt of envy; while, when he is ruined, some are..."

[*Latin ed. p. 92*]

We believe it ought to be erected, and, as it progresses, we fear that it will unjustly oppress many. Moral Theology, Book 22, Chapter 12. However, this must always be understood with due regard for the order of charity, namely, when the evil that is avoided outweighs or equals the good desired by the neighbor. Similarly, some believe, and adhere to the opinion of Salmeron, number 44, and Roncaglia, that it is permissible to desire the death of a son if one fears that, through his wickedness, the family will be dishonored. However, it is permissible to rejoice in the temporal misfortune of a private person for the sake of a greater temporal good, as Lessius states in Book 2, Chapter 47, number 21, Roncaglia states ibid., following St. Thomas, as mentioned above, and Salmeron states in Chapter 13, number 45, following Tollet, etc. Hence, it is also permissible to rejoice in the punishment of a malefactor as an example to others. And what is said about rejoicing, the same must be said about desire, as Salmeron states in number 43, 22. It is denied by Salmeron in Chapter 13, number 46, following Navarrus, Abulafia, and Regius, that it is permissible to desire one's own death in order to avoid a life that is too difficult, due to infirmity, the cruelty of a husband, poverty, and the like. The reason is that it is not permissible to will death in order to avoid any evils of lesser importance. But it is not improbably affirmed by Palearius in Tractate 6, Dist. 4, Paragraph 1, number 11, by Viva in Proposition 14, Innocent XI, number 3, by Potentini in De Iurisprudentia, number 289, and also by Soto, Granado, Sancius, and Trullius, apud Busenbaum, Book 2, number 30, verse 2, that it is permis-

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sible, in the case where life is considered so burdensome as to be more grievous.

[*Latin ed. p. 93*]

By itself, death. But whether it is permissible for a mother to desire the death of her daughter, either because the daughter cannot marry due to deformity or poverty, or because the mother is ill-treated by the husband because of the daughter, Azor affirms in *I. p. l. 3. c. 12. q. 2.*, Pal. *tr. 6. d. 4. p. i. n. 11*, and Bon. *de char. d. 3. q. 4. p. ult. n. 7*. The reason is that such a desire is not so much about the evil itself, as about the good that will follow. But this is rightly rejected by Salm. *n. 46* and Ronc. *p. 18. q. 4. r. 1*. The reason is, firstly, that it is never permissible to desire the death of another for the sake of a temporal good (and on this point, there seems to be no doubt, as Ronc. after propositions 13 and 14, mentioned above, states); secondly, because the mother's evil does not outweigh the evil of the daughter's death.

23. 3. o. It is not a sin, at least not a mortal sin, if spouses are delighted by a purely rational desire for a past, future, or possible act of conjugal union, with respect to the present or absent. Likewise, if the bridegroom desires the future union, or is delighted by it, or if the *vidua* [Culmore] is delighted by a past union. The reason is that these acts have a licit object.

I said, a purely rational desire; because if the bridegroom or the *vidua* [Culmore] voluntarily consents to a sensitive and carnal delight (which naturally arises from the memory of a future or past union), they sin mortally, as Less. *l. c. t. 2. c. 6*, Bon., Tann., Pal. V. Diag. *t. 5., misc. resp. 2* teach.

[*Latin ed. p. 94*]

Moreover, because true delight of the will is most sensitive and carnal, and indeed, even leads to the danger of consent to fornication, that delight in pleasure scarcely has a place in practice, at least among widows and betrothed; however, among spouses, provided the danger of pollution is absent, even sensitive and venereal delight is not mortal, as teach Fill., Bon. de matr. q. 4., Sanch., Less. loc. cit. d. 1., and Dian. t. 3. misc. r. 36; furthermore, because the state of marriage excuses this, just as also impious touches instituted solely for pleasure; furthermore, because these tend of themselves towards the conjugal act, even if, by accident, the act is not performed.

24. Here, two questions are much debated and require careful consideration.

Question 1: Whether it is permissible for betrothed and widows to experience delight concerning a future or past union.

Answer: It is permissible for them to experience delight, provided they experience it with a rational desire, and not with a carnal one. (However, it

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rightly adds that in practice, this is scarcely admissible, since carnal delight is almost always connected to rational delight.)

This view is also held by Salm. tr. 20. c. 13. n. 57. with Nav., Caj., Val., Bon. etc., who say that it is permissible for betrothed to rejoice not concerning the union as present, but concerning the future union. However, even setting aside the danger of sensitive delight, it is truer to say, with Holzm. t. 1. p. 318. n. 701., Ronc. tr. 2. c. 3. q. 5., and Sanch. and Vasq., Azor.

[*Latin ed. p. 95*]

Layman, Palearius, Dionysius, etc., in Salmeron, number 56, assert that any delight of the will in betrothed or widows concerning a future or past union is evil. The reason is that delight provides itself with a present object; and therefore, since here and now the condition of lawful marriage is absent, any actual delight concerning it is also evil. Another point to be made is concerning the desire with which a betrothed man wishes for a future union: this is permissible; because, since the will is directed towards a future object, it can desire it under the condition that the object will be lawful. However, because in such a desire there is also the danger of delight, betrothed persons should be encouraged to diligently turn away from such shameful thoughts.

25. Question 2: Whether it is permissible for married couples to take delight in the union, even if one spouse is absent. Salmeron, in *De Matrimonio*, chapter 15, number 90, along with Navarrelius, Sandoval, Rodriguez, etc., apud Croix, book 6, page 3, number 337, deny this, when the delight is taken with a disturbance of the spirit; because they say that such a disturbance is not permissible for married couples, unless it is ordered towards the union. But Roncaglia and Salmeron speak inconsistently; for Salmeron himself admits, number 84, and Roncaglia, *Tractatus*, book 12, page 296, question 6, response 11, with Saint Antoninus, the Council of Trent, Dionysius (and this is common, as we will say elsewhere concerning marriage, *Decretum Gratiale*, number 933), that touch...

[*Latin ed. p. 96*]

The impudent (who certainly cannot, for the most part, avoid such actions) between spouses, in the absence of the danger of pollution, are licit, at least not gravely illicit, even if they are undertaken solely for pleasure and are not ordered towards the act of copulation. Therefore, I say: why is this not also true of pleasure? For I consider it very probable the opinion of Bus., who says that it is licit for spouses to take pleasure, even carnal pleasure, from the act of copulation, whether it has been performed or is to be performed, provided that the danger of pollution is absent. The reason is that, as they say in Salm. d. n. 84, speaking of impudent touches, the very state of marriage renders all these things licit; otherwise, the marital state would be subject to excessive scruples. This opinion is held, besides Fill.,

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Bon., Sanch., Less. and Diana with Bus., as mentioned above, n. 23, in fine, by St. Antoninus, p. 1, title 5, chapter 1, § 6, by Cajetan, 1. 2, q. 74, art. 8, ad 4, by Conin, d. 34, dub. 11, concl. 1, by Croix, l. 6, p. 3, n. 337, with Gers., Suar., Laym., and many others; also by Vasquez, Avila, etc., as found in Salm., n. 88 and 89, who consider it probable. And it is supported by D. Th., q. 15, de malo, art. 2, ad 17, where he says that just as copulation is licit to spouses, so also is pleasure derived from it. Finally, it should be noted, with Salm., tr. 20, c. 3, n. 66 and 67, with Lug., Caj., Nav., Pal., Dic., etc., that if anyone boasts of a grave sin that he has truly committed, he ought...

[*Latin ed. p. 97*]

"In confessione, etiam speciem peccati explicare necesse est; quia tunc, saepissime, jactantia adiungitur complacentia de peccato commisso, quae eandem speciem peccati assumit. Aliter, si jactantia sit de peccato ficticio. 27. » 4.º Delectatio morosa de rebus solo jure positivo prohibitis non est illicita; modo non fiat sub ratione prohibitionis: exempli gratia, si carthusianus vel alius, die jejunii, se oblectet de cogitato esu carnium; quia non est de opere malo, cum lex tantum vetet comestionem externam. Laym. L. i. & 3. c. 6. n. 9., Less. L. 4. c. 3. d. 14. n. 111. et 113. (Et ita tenendum cum Salm. c. 13. n. 37. et 38., Pal., Vasq., Sanch., Less. communiter. et Ronc. tr. 2. c. 13. q. 3. r. 11., quicquid dicat Croix L. 5. n. 81. Non licet autem delectari de missa ob oblivionem relicta et simili; quia omissio est objective mala, ut Ronc. ib. q. 5. cum Az. et Sanch.) » 28. » 5.º Qui delectationem morosam mortalem confitetur, addere debet circumstantias operis de quo fuit delectatio, exempli gratia: in materia iræ, an fuerit de occidendo fratre an alio, uno, an pluribus: in materia carnis, an de conjugata, moniali, consanguinea. Quod tamen limitant Az., Sa v. Luxuria, Salas t. 7. tr. 13. d. 16. s. 6. n. 59. etc., si delectatio feratur in objectum apprehensum secundum totam malitiam, non autem..."

[*Latin ed. p. 98*]

If it be only according to part, for example, in a form apprehended as not one's own, but not as belonging to another, nor as that of a nun: then, they say, such delights are likely to be reduced to the species of simple fornication. Thus also Fill., Less., Bon., Dian., Pal. V. Lugo, d. 16, n. 363. Another matter is that of the external act itself, which always pertains to the object according to its entire malice; or even the effective desire, which pertains to the external act, according to itself and as it is according to the nature of the thing, and therefore its circumstances are always to be considered. See the authors cited (see the aforementioned number 15).

"29. "Response 2nd: If someone performs an action without cause or necessity from which he understands that carnal delight will naturally arise (for example, he reads or hears scandalous things out of curiosity), yet without direct intention and without danger of consent, he sins venially;

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but if he has a just cause, he sins nothing. (See above, in VI, preceding, n. 481, line 6: "If there is pollution.")

"Question: Does the will have to positively repress carnal delight?

"Response 1st: If the will is fully aware of it and holds itself negatively and permissively, so that it neither approves nor rejects, provided that it does not allow this out of complacency in the delight itself, nor is there a danger of further consent, it is probable, as Cajetan and Sanchéz teach.

[*Latin ed. p. 99*]

1. Moral Theology, Chapter 12, concerning not committing mortal sin; namely, because one does not consent to the delight, and because it is morally impossible to avoid all such movements, and because, for a just reason, it is permissible to allow them, even according to adversaries.

2. Response. In practice, however, it seems truer what Vasquez, Azorín, Lessius, and Becanus teach in *1.2. l. 2. q. 5. c. 5*, that not resisting them without a just cause is a mortal sin: because almost always the will is exposed to the danger of consent; and to believe the contrary is excessive self-confidence and presumption. Layman admits both opinions as probable, and says that delight seems to be a mortal sin, unless at least one elicits from it an act of simple aversion, even if one neglects to effectively divert the mind to other things, when one can and hopes to be able to repel it in this way. See Layman, *l. 1. t. 3. c. 6. n. 3.* (See also the aforementioned passage on this matter, *l. 5. n. 7*).

3. THIRD DOUBT. CONCERNING THE DISTINCTION OF SINS. ARTICLE FIRST. WHICH SINS ARE DISTINGUISHED BY SPECIES.

4. How sins differ in species, both with regard to the material and with regard to the formal aspect of sin.

5. From what fourfold root is the diversity of species derived?

6. Whether sins are distinguished by species from their opposition to virtues or from the diversity of objects.

[*Latin ed. p. 100*]

33. Whether sins are distinguished by species according to different precepts.

34. Whether a sin, according to its object, can be less grave than a sin of a higher species.

"RESPONSE: Sins, insofar as they are material or possess a positive entity, are distinguished by species according to their formal objects and circumstances that vary the species, insofar as these objects have a relationship to them; but formally, they are distinguished from their opposites, or from the rectitude of virtues by which they are deprived; and remotely, and fundamentally, from objects. Thus, the Council of Trent, Session V, Decretum de Peccatis, Chapter IV, Canon I. The reason for the first part

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is that all acts are distinguished by species according to their objects, and sins, insofar as they are material, describe these very acts. The reason for the second part is that privations are distinguished by species from the forms by which they are deprived; but sins are formally privations of opposite rectitudes. The reason for the third part is that the rectitude of a virtue is specified proximately by its object: therefore, the privation of that rectitude is remotely from the same. ”

Therefore, it is resolved: Sins differ by species not only those which are contrary to different virtues, but also those which are contrary to the same virtue, such as prodigality and avarice; or by reason of different deformities, that is, those which, by so different a manner and malice, affect the matter of the same virtue, that, as far as the nature of the same sin is concerned, it is...

[*Latin ed. p. 101*]

The same ease, speaking morally, does not incline to the commission of either sin; such as are homicide, theft, adultery, and detraction. 31. The Council of Trent, in Session 14, chapter 5, teaches that those circumstances must be explained in confession which alter the nature of the sin. Hence, the question arises: 1st, that the specific distinction of sins is derived from a fourfold root. Answer: While some derive it from a fourfold root, I follow the opinion, in common with others, that it is derived from a twofold root, namely: 1st, from the opposition to different virtues; 2nd, from the different forms against the same virtue, as happens in perjury and the violation of a vow, or blasphemy; for although these sins are against the same virtue of religion, they are nevertheless different in species. Regarding this second root, the Doctors agree. 32. But regarding the first, namely, from the opposition to virtues, there is a great question between St. Thomas and Scotus, whether the specific distinction of sins is most closely derived from the different objects of sins, or from the different virtues to which the sins are opposed. St. Thomas, 1-2, question 72, article 1, Salm. trans., book 20, chapter 12, numbers 1 and 2, and others, hold that it is most closely derived from the different species of objects. The reason given by St. Thomas, as he states in article 6, ad 2, is that sin does not have its species from the part of aversion, but from the part of conversion, according to the fact that it is a certain act. Scotus, however, along with Bus, Bec, Val, and Bon, hold that...

[*Latin ed. p. 102*]

The specific distinction is derived from the virtues to which sins are opposed; for a sin, formally considered, consists in opposition to the virtue by which it deprives. Both opinions are probable, and both truly coincide, as Salm. rightly says. However, the second, which distinguishes sins by their opposition to virtues, is clearer and easier, as Tap., although a Thomist, rightly acknowledges. Nevertheless, Ronc. *in 2.o de pecc.* cap. 2. q. 1. ob-

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serves that, although sins of commission are distinguished from opposing virtues, as he himself holds; sins of omission are entirely distinguished by their opposition to objects, or to the acts by which they are deprived: for omitting the sacred and fasting are different species of sins against the obedience due to the Church; because the sacred and fasting are different species of objects. 33. Finally, question 2: whether sins are distinguished by different species from different precepts. Nav., Gran., Tann., etc., affirm this. But it should be said, with St. Thomas *1. 2. q. 72. art. 6. ad 2*, Caj., Val., Az., Laym., Con., Pal., Bon., Ronc. *l. c.*, Croix *l. 4. n. 47*, Salm. *d. c. 12. n. 5. et 6*, that if precepts are distinguished only in the part of the legislators (as in theft, which is prohibited by both divine and human law), they do not at all induce a specific distinction of sins; because the diversity of legislators does not make the precept formally...

[*Latin ed. p. 103*]

Otherwise, it is different only materially. However, it is otherwise if the precepts are distinguished by their motivating reason for prohibition; because then different virtues are injured: as if someone were to break a fast prescribed by the Church and to which he had also bound himself by a vow; then he would injure temperance, from which the Church commands the fast, and religion, from which God commands that vows be observed. To determine when laws are established for different ends, Psalm 9 says: see if a human precept draws an action to a special other virtue or to opposition with another special virtue. Hence, it follows that 1st: if someone kills a priest, he not only sins against justice, but also against religion, because of which reason the Church forbids the injury of a priest. It follows 2nd: a priest who neglects his divine office commits one sin against religion, but not against justice, if he wishes to restore the fruits of the benefice; because for the same reason of religion, the Church commands recitation from him who is a priest and is a beneficiary, who is only bound by justice not to make use of his own goods; thus Azor., Trull., Dian. etc. with Psalm c. 12, n. 12, against Suar., Laym. and Bon. V. dicta l. 4, n. 145, q. 1, 34. Query: 3rd, can a sin, by reason of its object, be made lighter by reason of circumstances?

[*Latin ed. p. 104*]

The gravity of a sin of a superior species. This is denied by Durandus, Vasquez, and others. But it is affirmed more probably by St. Thomas [Summa Theologica] 2-2, q. 10, art. 3, ad 1., where he says: "Nothing prevents a sin which is more grievous according to its species from being less grievous according to certain circumstances." St. Thomas is followed by the Council [Conciliorum Collectio] t. 10, p. 524, n. 6, as well as Cajetan, Suarez, Azorín, Palotti, etc., with Salmeron, cap. 12, n. 22, and others in common; because, although, regularly, the more grievous sin is that which is opposed to a more perfect virtue, as St. Thomas says

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[Summa Theologica] 1-2, q. 73, art. 4, nevertheless, since the gravity of a sin of a superior species is finite, therefore, although physically it cannot exceed the malice of a sin of an inferior species, it can truly be more grievous morally. Hence, sodomy and bestiality are more grievous sins than perjury, as taught by St. Thomas [Summa Theologica] 2-2, q. 144, art. 2, with Salmeron, ibid., n. 22; and therefore, the aforementioned rule for measuring the gravity of a sin by its opposition to a higher virtue applies only when the sins are the greatest against each virtue, and not when the comparison is between the greatest sin and the least. Whether circumstances which only aggravate the species are to be considered, namely, the degree of incest, the quantity of theft, the time of duration of the sin, see what is said concerning sacramental penance, book 6, from n. 467.

[*Latin ed. p. 105*]

ARTICLE SECOND. WHICH SINS ARE DISTINGUISHED BY NUMBER.

35. V. All that is said above concerning this point, from Bus.

36. From which roots is the numerical distinction derived? Concerning the first root, which is the multiplicity of morally interrupted actions.

37. And I.o. How are internal actions interrupted concerning sins of the heart?

38. How are they interrupted concerning sins of the mouth and of action?

39. Is a malicious intention interrupted by a long period of time?

40. What if the will remains in some affection?

41. 2. I.o. How are external actions interrupted or united?

42. Are all the *media* (means) applied to sin to be explained?

43. What if someone initially only intended to touch, but afterwards commits fornication?

44. What if someone steals gold a hundred times successively, with the intention from the beginning of stealing a hundred? And how many sacrileges does he commit who celebrates three Masses on the day of the Nativity of the Lord?

45. Concerning the second root, which is the diversity of total objects.

46. Illusions of this root.

47. Q. 1. I.o. How many sins does he commit who, in the same action, blasphemes twelve Apostles?

48. 2. I.o. How many if someone detracts from or accuses someone with various insults?

49. 3. I.o. How many if someone detracts from someone before many

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people?

50. 4. I.o. How many if someone denies several articles of the faith?

51. 5. I.o. How many if someone desires different evils for his enemy?

52. 6. I.o. How many if a confessor absolves several in mortal sin?

[*Latin ed. p. 106*]

What if a priest administers the Eucharist to many? What if a priest throws his breviary into the sea, foreseeing that he will become incapable of reciting it? (Concerning this, see the statements in book 4, chapter 149.) 35. "The distinction is made in two ways: 1st, by different objects, considered in their total number, not merely materially and physically, but also formally and morally distinct. 2nd, by the interruption of the act. Fill. tr. 21, chapter 8. "I say 'morally,' because although any physical interruption suffices for a numerical distinction, they are not multiplied in number for confession unless they are morally multiplied; for just as the moral act is considered in confession, so too the moral multiplication and distinction must be considered. "Furthermore, acts are morally interrupted in such a way that they are neither considered virtually nor interpretively to remain: 1st, by contrary will and intention; 2nd, by voluntary and free cessation from the act; 3rd, by involuntary and natural cessation, whether it occurs through sleep or through distraction to other things. Through sleep, indeed, because in it the use of reason ceases, the free and moral action does not continue; but through distraction, because through it the previous thought becomes involuntary, and therefore, if one returns to it, it becomes voluntary and is morally multiplied. Thus, Vasquez."

[*Latin ed. p. 107*]

This opinion, although applicable to external sins, does not hold true for internal sins, according to Fill., tr. 21, ch. 8, n. 317. The reason is that, although this interruption physically multiplies the actions, it does not do so morally: for, by the very fact that the soul is involuntarily distracted, the prior intention remains, since it is not retracted or otherwise interrupted. See also Bald., d. 21, n. 3. "Therefore, it is resolved: 1st, That one commits a single sin in number who, in one action, harbors hatred or detraction towards ten people, just as one who kills two with a single blow commits a single sin. Similarly, one who, in one action, intends to omit the hourly prayers for a month, or the fast during Lent, commits a single sin. For, although these objects are physically more numerous, they are nevertheless one morally and formally, insofar as they are joined together in one action, here and now. Thus, Nav., Fill., Bon., d. 2, qu. 4, p. 1, contrary to Azor., Vasq., etc.; who argue, with some probability, that these are distinct sins. But whether one says that one has hated ten people, or one person, it makes little difference, since the one is equivalent to the ten; therefore, the gravity of the object must be expressed in confession, as noted by Fill., Bon., Suar.,

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de poen., d. 22, s. 5. 2nd, An internal act of the will, equally interrupted and repeated, although physically it is..."

[*Latin ed. p. 108*]

Although, morally speaking, there is but one sin, in number, in relation to confession, if it is consummated in some external act, by that which is intended and caused by it, or even in several external acts, mutually subordinate to the same end. Hence, for example, he who steals from a library throughout the entire night, although he may often renew his intention to steal, commits but one theft, and he who, persisting in his intention to kill another, often renews his will, commits but one homicide. The reason is, because there is one external act, intended and caused by internal acts, in which all the internal acts are fulfilled and morally united. See Baldell, d. 21, n. 4, § 3.

3. External actions, although distinct in number, are nevertheless related to the same end and principal act, provided they do not have a distinct malice from that act itself, and are not distinguished by that same end and principal act, morally speaking, and in relation to confession. Hence, kisses, touches, and impudent words, which precede, indeed even accompany and follow, the carnal act, as complements and appendages of that act, are but one sin in number, as taught by Navarrus, c. 6, n. 17, Azorín, 4th question, 6th article, and Fillon, etc. The reason is, because they are either the beginnings, or the parts, or the complements and appendages of the same human act and object, in which all the aforementioned are morally united.

[*Latin ed. p. 109*]

I have stated these additions; for if similar actions are not the beginnings or parts of a marriage that follows, or if they do not follow from a past action by the very nature of the thing, they are distinguished by number; for example, if someone boasts of fornication: therefore, these must be explained separately in confession, and not the former, as Suarez teaches, volume 4, on penance, chapter 22, section 5, number 36. To better understand this very difficult matter of the numerical distinction of sins, concerning which the Doctors greatly labor and greatly disagree, it must be noted that, according to the Council of Trent, not only the species of sins must be explained in confession, but also their number, as session 14, canon 7, teaches: "If anyone should say that it is not necessary, by divine law, to confess all and each mortal sins in the sacrament of penance, let him be anathema." Hence, it is to be considered from what roots the numerical distinction of sins is derived. The answer is that it is derived from two roots: first, from the multiplicity of morally interrupted actions; and in this all agree; second, from the diversity of total objects; although some doubt about this root, as we will see in number 45 below. And first, speaking of the first root, there

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is a great doubt as to when actions of the will are morally interrupted. And here, for a clearer understanding of the distinction...

[*Latin ed. p. 110*]

They are internal acts interrupted by external acts. 37. And, concerning internal acts, it is also necessary to distinguish between sins of the heart and sins of the mouth and deeds. For if they are sins of the heart, which are entirely perfected internally, such as hatred, heresies, lascivious delights, and shameful desires, etc., these immediately and multiply, being interrupted, so that there are as many sins as there are acts of the will consenting to them. The reason is that, concerning such acts, one does not depend on another, and therefore they cannot be morally continued. Thus, commonly Suarez, Vasquez, Azorín, Palotti, Bona, etc., with Salm. tr. 20, chapter 12, number 32; Ronc. tr. 2, on sins, chapter 2, question 2; Council, volume 10, page 526, number 13; Cont. Tourn. volume 2, page 274, number 3, against Lug. d. 16, section 13, from number 566; Canus, Homob., etc., apud Tamb. meth. conf. chapter 1, section 6, number 32, who say that these acts are not interrupted by sleep, distraction, etc., but only by contrary will; and this opinion seems to be adhered to by Bus. with Fill. here, see. Furthermore, in fine, and calls Tamb. l. c. probable (although Tamb. always says that the time during which the evil will has persisted must always be explained). But this opinion is refuted as false by Conc., and Vasquez, Suarez, Dian., etc., with Salm. l. c. number 34. Therefore, the opinion of Lugon and Canus, at least as dubiously probable, is not to be held.

[*Latin ed. p. 111*]

And therefore, the penitent ought, if possible, to explain how many times he consented in his will; but if he cannot, because his mind was perverse for a long time; then it suffices to confess the time during which he persevered with such a mind, as Ronc and Viva de sacr. poenit. q. 5. art. 7. n. 2 state, with Vasquez. Furthermore, they note 1.º Conc. and Lugo apud Tamb. n. 53 (although Tamb. does not assent), with Viva n. 5 and Antoine, that it ought to be explained if the interruptions were notably rare or frequent. Tamb. l. c. n. 48, with Lugo and Viva, d. n. 5, notes that if several acts of this kind proceed from the same impulse of concupiscence, they constitute one mortal sin, even if a brief interval intervenes between the acts. 38. This applies to internal acts concerning sins of the heart. But with regard to internal acts concerning sins of the mouth and deeds, which are consummated externally, such as blasphemies, thefts, etc., these acts are morally interrupted 1.º by the retraction of the will; 2.º by free cessation, namely, if someone voluntarily and freely ceases from a wicked purpose; then, if he returns to the evil will, the new act will be morally different from the first, since it does not proceed from the first, and therefore it will be a new sin.

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Thus, Bus., Ronc, and Croix l. 5. n. 170.

[*Latin ed. p. 112*]

39. Lugo, in *Disputationibus de malo proposito*, disputatio 16, n. 567, affirmavit quod malum propositum non interrumpitur per interrupciones momentáneas, sicut somnus, distracción, comida, etc., y Tamburello, en § 6, n. 35, 36, adhiere a esta opinión, incluso si hay una demora considerable. Pero esta opinión es contraria a la opinión común y, por lo tanto, debe ser rechazada, como afirma Croix, libro 5, n. 378. Por el contrario, es probable la opinión completamente opuesta, junto con Henno, Vasquez, Nugnez, Diano, etc., según se cita en Viva, quienes sostienen que los actos internos son interrumpidos por cualquier distracción, incluso involuntaria. Sin embargo, parece más probable lo que dice Salmón, en *Disputationes de malo proposito*, capítulo 12, n. 38, y Viva, en *De sacrificio poenitentiae*, cuestión 5, artículo 6, n. 6, al final, y Roncaglia, cuestión 2, que si interviene un tiempo breve, los actos no se interrumpen; por el contrario, si interviene un tiempo prolongado. ¿Qué se debe considerar como un tiempo prolongado? Viva dice un año, Salmón un mes, Roncaglia dos días, y el Concilio, un día; pero yo creo que es difícil que el impulso de un acto se prolongue (hablando en términos generales) por más de dos o tres días, como máximo. Por lo tanto, aquel que persiste en la mala voluntad por más de dos o tres días, debe explicar el tiempo, para que se entienda moralmente el número de actos internos en relación con los pecados externos.

40. Sin embargo, debe notarse que los actos de la voluntad, si proceden de la voluntad primera y permanecen moralmente en algún efecto que...

[*Latin ed. p. 113*]

Led astray to the consummation of sin, and enduring as long as the wicked will persists, they constitute but one sin. Hence, it follows that 1st, if someone intends to kill a man, and therefore prepares weapons, seizes an opportunity, and kills the enemy, he commits but one sin, even though he may have sought this for many days and repeated his intention many times. Thus, commonly, St. Bonaventure, Vasquez, Cajetan, Navarrus, Bona, etc., agree, citing Salmeron, chapter 12, paragraph 86, and St. Thomas in 2-2, question 42, article 1. The reason (as St. Thomas teaches) is that all these actions do not have the nature of sin except insofar as they are ordered by one will towards a perverse end. It follows 2nd, that if someone decides not to return something that belongs to another, and remains in that same will (even for a year), he commits but one sin: because in that retention, never retracted, the first will virtually remains, as Rone, in *de pecc.*, page 16, question 2, rule 1, and Lugo, in *de poenit.*, book 16, paragraph 549, state, citing Navarrus, Gabrel, and Tannus, Salmeron, book 13, chapter 1, paragraph 64, book 20, chapter 12, paragraph 37, citing Navarrus and Trull; also Diana, page 2, book 16, rule 27, citing Maldonato, Aragona, and Sayr (contrary to

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Suarez, Vasquez, Bonaventure, Tapia, etc., as found in Salmeron, book 13, paragraph 264, who hold that the will is interrupted by sleep, distraction, etc.; whose opinion is also probable). Indeed, Lugo states that the will is not...

[*Latin ed. p. 114*]

It is interrupted, even if a retraction, albeit the briefest, of the will is present. (See the aforementioned passage, Book 3, number 683.) However, Diana, that is, in her writings, rightly observes, along with the aforementioned authors, that if someone is rendered powerless to restore [something] and then becomes powerful, given the opportunity, if he does not restore it, he commits a new sin. The reason is that, in that case, the will, which was powerless to restore during that time, does not persevere in its effect.

41. 2. Regarding external acts of sin, these are morally interrupted when they are not subordinated to a principal, completed act, for example, when someone has multiple touches without the intention of copulation, or if someone strikes repeatedly without the intention of killing, or if someone steals several items from a pile without the intention of taking the entire pile; because then each act has its own complete malice. Thus, as commonly stated by Holzmüller, volume 1, page 145, number 681. Conversely, external acts are united in two ways so as to constitute one sin. First, if they proceed from the same impulse, for example, when someone strikes repeatedly, touches dishonestly repeatedly, blasphemes the same saint or multiple holy days, or repeatedly accuses or detracts someone in the same matter, as rightly stated by Salm, treatise 20, chapter 12, number 41, along with Navar, Taparelli, Lessius, and Covarrubias; also, the Council, volume 20.

[*Latin ed. p. 115*]

Page 529, paragraph 21. From *Viva de pœn.*, question 5, article 6, paragraph 6, with Palagius, Dicælius, and Bonaventure, *ad Croix*, book 5, paragraph 179. Whether one commits a sin who, at one time, blasphemes several saints, or repeatedly afflicts someone with insults in different matters, or a confessor who successively absolves several from mortal sin, see below, paragraphs 47, question 1, 2, and 6. Secondly, external actions are morally united if they are directed towards the consummation of the same sin; as we said above concerning repeated internal actions directed towards the same external sin, which proceed from the first intention. Hence, if someone buys weapons to commit murder, seeks out a victim, and kills him, he commits one sin. Similarly, if someone precedes the act of copulation with touches, kisses, and words, it suffices if he confesses only that he attained the copulation. Whether the touches that immediately follow the copulation are to be explained, there are three opinions. The first ab-

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solutely affirms, along with Suarez and others. The second, with Dicælius and Croix, book 5, paragraph 168, denies, if such actions are intended as a complement to a prior pleasure; but, on the contrary, if they are considered as a new pleasure in themselves. This is indeed probable; but the third opinion of Busenbaum with Lugo, *de pœn.*, book 16, paragraph 553, Palagius, Navarret, Axia, *Viva*, *loc. cit.*, paragraph 6, and Salm, is no less probable.

[*Latin ed. p. 116*]

Chapter 12, paragraph 45. Those who, in common, say that all these actions, just as the act of consummating marriage, are not a new sin, if they occur immediately after the consummation and do not intend a new consummation; because they are likely used as a complement to the consummation already obtained.

42. It must be noted, however, 1st, that even those things, as distinct sins, which are placed in order to commit a sin, must be explained, if the sin is not actually committed, as Viva says in common, ibid., n. 6. And this is not only if the aforementioned means are evil in themselves, such as dishonest touches and words; but also if they are indifferent, such as taking a road, ascending to a house to visit a woman, preparing weapons for murder, etc. Thus, Viva says very probably, ibid., n. 6. The reason is, because then the sin does not remain only internal, but is externalized in those actions, which all become evil, when they are informed by a wicked purpose.

43. It must be noted 2nd, that if someone, having kisses, touches, etc., did not wish to consummate the marriage from the beginning, but afterwards, due to increased lust, completed the consummation, it is not sufficient if he only confesses the consummation: then all the actions must be explained as distinct sins; because in them the act contains its own consummated malice. Thus.

[*Latin ed. p. 117*]

Commonly, Tourn. p. 272; Lessius, *Dictionarium Morale* with Croix, book 5, number 169; and Salm. chapter 12, number 45, with Navarrus, Lugo, etc. And the same must be said of the one who, having only the intention of wounding, and inflamed by anger, kills [someone]; he commits two sins, as Salm. states there, with the same reasoning, number 44. It must also be noted, as La Croix states, book 5, number 170, and Mazzola, volume 1, on conscience, chapter 2, question 4, at the end, that if someone, with the intention of stealing one hundred gold coins, steals them one hundred times, interrupting the action morally each time, then he commits one hundred sins; because each act contains in itself a complete evil. Furthermore, he commits three sacrileges who celebrates three Masses on the day of the Nativity, being in a state of mortal sin; because these are acts that are complete in themselves. I have said three sacrileges; however, this applies

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to the opinion (as held by Spotorius in *De Poenitentia*, chapter 3, number 435, and by some moderns) who say that celebrating Mass while in mortal sin is one sacrilege, because although the actions of the celebrant may be many, they nonetheless constitute one ministry of sacrifice. But it is truer to say that there are at least nine sacrileges, since the celebrant, while in mortal sin, commits true sacrileges in each Mass; and although he offers one sacrifice, nevertheless, in offering it, he performs many actions that are, in themselves, completely sacrilegious, namely, by consecrating unworthily, and by ministering unworthily to himself.

[*Latin ed. p. 118*]

and concerning the taking [of the Sacrament]: otherwise it must be said if, after receiving, one takes superfluous particles; because this final taking pertains to one sacrifice. Thus Croix, *loco citato*, with Viva, n. 7. I have said at least this; for, according to our opinion, the celebrant commits four sacrileges in mortal sin. Vol. I, book 6, n. 35; see *Hinc*, 45. Speaking now of the second root of the numerical distinction, namely, whether sins are multiplied by the diversity of total objects, a celebrated question exists among the Doctors. The first opinion denies this, and this is held by Bus, *hic*, n. 37, Suar., vol. 4, *in 3. p. d.* 22, sect. 5, n. 34, Lugo, *de poenit.*, d. 16, n. 135, Laym., book 1, treatise 3, chapter 3, n. 2; Viva, *de poen.*, question 5, article 6, n. 9, Anacl., page 8v, n. 57, with Nav., March., etc., and Tamb., *meth. conf.*, book 2, chapter 1, § 9v, a, n. 58, also Bon., Fill., Gob., etc., as found in Croix, book 5, n. 150, and Vasq., Rodr., etc., are considered to hold the probable opinion, as found in Lugo, *loco citato*. But the aforementioned Doctors hold this opinion for different reasons; for Suar., Laym., Vill., etc., prove that in the same act of existence, there cannot be multiple evils numerically distinct, just as there cannot be multiple distinct accidents in the same subject. Lugo and Tamb. use another reason, saying that although multiple evils may be present in the same act, nevertheless, according to the decree of the Council of Trent, we are indeed bound to explain.

[*Latin ed. p. 119*]

The number of sins, and not the number of malicious intentions. The second opinion, which is more common, and which we follow, as do Cont. Tonru. s. 2. page 273. line Dico 2., Conc. t. 10. p. 531. n. 29., Croix lib. 5. n. 150., Holzm. t. 1. page 142. n. 668. and Salm. tr. 20. c. 12. n. 61. with Az., Hurt., Vasq., Diana, Dicast. and many others, teaches that the diversity of total objects constitutes a diversity in the number of sins. Reason 1: Because, just as an act that regards multiple objects of different species includes multiple sins of different species to be explained in confession, so an act that regards multiple objects in different numbers includes multiple sins in different numbers. Reason 2: which provides stronger proof, is that the same act can not only include multiple malicious intentions of different

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species, but also in number. This is evident from the example: if a husband has relations with his wife's concubine, no one denies (as Lugo himself admits in n. 241) that he commits a double injustice: one by violating the right of his wife, the other by cooperating so that she violates the right of her husband. Therefore, with the same single act, multiple sins in different numbers can well be committed against the same virtue. Lugo objects that the husband commits injustice in a different way when he violates the right of his wife, and in a different way when he cooperates so that the other violates the right of the husband; and therefore he commits two sins of injustice. But

[*Latin ed. p. 120*]

This response does not hold; for the same virtue of justice obliges him in the same manner, and not in a different manner, to keep faith with his wife, as it also obliges him not to cooperate so that she breaks faith with her husband. Nor does the reasoning of Suarez, namely that in the same subject, there cannot be more than one distinct accident, present an obstacle. For it is answered that this holds true in physics, but not in morals; for in morals, it is permissible that although an act may be physically one, it can nevertheless be morally multiple, when, according to the judgment of prudent men, that single act is equivalent to several, considering the objects which are totally different, as is evident from the example of a married couple who are joined in marriage, and as is taught in *Doctor Thomae*, 2-2, distinctio 42, quaestio 1, articulus 1. Nor does the reasoning of Lugo present an obstacle, namely that in confession, we are only obliged to explain the number of sins, and not the different evils of sin. For it is answered: granted that there are more evils in that act, there are also more sins, since different sins are nothing other than different evils. 46. From this, it follows that different sins in number are committed by him who, with a single blow, kills several people, or harms several, as say Tournhem, volume 2, page 271, column 1; the Council of Trent, volume 10, page 530, number 22; Bonaventure, *de sacramento*, distinctio 5, quaestio 5, page 2, paragraph 3, difference 3, number 10; and Salmeron, chapter 12, numbers 42 and 43, with Vasquez, Azorín, and Henry.

[*Latin ed. p. 121*]

And the same is to be said, if anyone intends to kill or defame the entire family, as held by Salm. n. 49, Tourn. in loc., Conc. n. 28, and Holzm. p. 143. n. 671, against Ronc. p. 16, q. 2, r. 2, and Anacl. in loc. It does not, however, prevent us from saying that a family is considered as one person according to the first book [of canon law]. For although, by a legal fiction, a family is called one person, nevertheless, the killing or defamation thereof violates the right of each individual within that family, which each of those persons distinctly possesses concerning life or reputation; therefore, it constitutes

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different sins. Otherwise, it would be said, as rightly stated by Salm. n. 51, if someone were to injure goods possessed by a city, a monastery, or a chapter in common; then, indeed, the right does not pertain to individuals in particular, but only to the entire community; hence, only one right is violated.

2. He who, in a single act, desires to approach several women, contrary to Tamb. n. 62, with Lugo, or repeatedly approaches the same woman, contrary to Less. apud Tamb. n. 5; much more so, he who on the same night repeatedly has carnal knowledge of the same woman, as held by Salm. n. 65, with others in common, against Zanardus: for every act of fornication has its complete term.

3. He who steals from several people, as held by Salm. n. 44, with Azor. and Mol., against Lugo and Tap.

4. He who, in a single instance, causes scandal to several people.

[*Latin ed. p. 122*]

He should demonstrate, as Tournelius rightly states in *Tractatus de Poenitentia*, vol. 3, page 331, in *Principia contra Tamburinus*, no. 64, and Lugo, no. 5: "He who, in a single act, wishes to omit canonical hours or fasting for several days," as Croix states in *Liber de Poenitentia*, book 5, no. 164; Holzmüller, no. 673; and Salmanticensis, no. 44, against Busembach, Lugo, etc., no. 6: "He who desires, in a single act, to commit evil against three persons," as Croix states, no. 158, and the Dicasterium, no. 47.

It is inquired: 1. "How many sins does he commit who, in a single act, blasphemes the twelve Apostles?" Tournelius, vol. 2, page 271, column 3, and the Council, vol. 10, page 529, no. 21, hold that he commits twelve sins, because he wounds the honor of each Apostle, and indeed, probably so. But it is not improbable that what Anaclarius states, page 82, no. 58, and Salmanticensis, chapter 12, no. 40, along with others, namely, that he commits only one sin; because, morally speaking, all blasphemies derive their malice from a single relationship to God, and therefore, through such a blasphemy, a single injury is mediately inflicted upon God.

48. Question 2: "Does he commit different sins who detracts from someone in many matters, or who afflicts him with different insults?" Salmanticensis, chapter 12, no. 4, and Lugo, *De Paenitentia*, book 16, no. 265, along with Cajetan, Soto, Azorín, Regius, and Molin, and also Bonaventure, Durando, Diana, etc., as stated by Croix, book 5, no. 161, deny this, saying that he commits only one sin.

[*Latin ed. p. 123*]

sin, because such detractions or insults are materially distinct in species, yet morally they injure one and the same reputation or honor. However, it is more probable that several sins are committed. Tourn. l. 2. p. 283.,

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Holzm. n. 674., Conc. l. 10, pag. 529. n. 21. et Croix l. c. cum Silv., Nav. etc. The reason is that different rights pertaining to reputation or honor, which belong to another, are violated; for in this way, if someone is defamed in one crime, it does not necessarily mean they are defamed in another. Nor does this present an obstacle, as when someone takes away several different things from another, only one theft is committed; for then only one right is violated, which that person had to their own goods. But when someone is defamed in several matters, several of their rights are violated, according to the several respects in which reputation pertains to different virtues; hence, several sins are committed. However, it should be noted here, as Salm. tr. 13. c. 4. n. 13. and Conc. loc. cit. in fmi, that women and common people who, while arguing together, assail each other with different insults, commit only one sin. The reason is that, according to common estimation, these people do not injure reputation and honor to the extent that, on the one hand, accusations among such persons are not considered serious, and on the other hand, those who hear them do not give them credence, believing rather that they arise from the impulse of anger than from malice and truth; and therefore, such quarrels.

[*Latin ed. p. 124*]

In order to be excused, and indeed to avoid mortal sin, it is necessary that one not impute any particular fault to the adversary.

Question 3: Does he who detracts from someone before many people commit more sins?

Croix, in book 5, chapter 162, and Holzmüller, in volume 1, page 143, paragraph 675, affirm that, as they say, he injures so many rights as there are persons among whom the other is defamed. However, Lugat, in *De Pœnis*, book 16, paragraph 112, and Tamborini, in *Methodus Confessionum*, book 2, chapter 9, section 1, paragraph 2, and Azorius, in volume 3, book 13, chapter 5, doubt 1, and Molinæus, in *De Justitia*, volume 5, treatise 4, distinction 19, paragraph 3, hold that only one sin is committed. The reason is that to detract before many people is only an aggravating circumstance, since the right to reputation is singular among all, and not multiple; therefore, since it is sufficiently probable (according to what is said in *De Pœnis*, book 6, paragraph 467) that there is an obligation to explain in confession the aggravating circumstances, it is also probable that in this case there is no obligation to explain the number of persons before whom the act of detraction was committed, but it suffices to say: "I detracted before many."

Question 4: How many sins does he commit who denies several articles of the faith?

Borgia, in Croix, book 5, chapter 156, believes that more sins are committed, because, as he says, each article is a distinct object of faith. But it is truer to say that they are not, as Diana and Oviedo state. The reason is that

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the object of faith cannot...

[*Latin ed. p. 125*]

It is said in many ways, when in truth it is only one thing, namely, the revelation of God's truth; therefore, he who denies one article of the faith is no less an unbeliever than he who denies all; and thus, conversely, he who denies more articles is no more an unbeliever than he who denies one. Question 5. How many sins does he commit who desires diverse evils against his neighbor, such as infamy, death, poverty, etc.? The first opinion, held by Lugo in *De Pænitentia*, book 16, chapter 260, along with Valentini, Turrecremata, Bonaventure in *De Libero Arbitrio*, book 3, question 5, page 7, paragraph 1, number 10, Diana Veteranorum, book 1, page 7, line 30, and page 4, line 67, as well as Cajetan and the Council of Trent, apud Busenbaum, book 2, number 30, verse. In confession, it is said that one sin is committed in species (and also in number, if evils are desired in the same impulse); because the sins of hatred do not take on a different species from the diverse evil desired, when all are desired under the consideration of evil, as contrary to the virtue of love. However, there is no doubt that the species of evils must be explained, if the desire is efficacious. The second opinion, held by Busenbaum in the aforementioned place, along with Suarez and Palearius, and Salm in *De Restitutione*, chapter 4, number 29, along with Bannitus, Salm, Prado, Villalobos, Soto, Fillian, and Dicena, says that more sins are committed, according to the species of the evils desired, if they are specifically expressed; because the desire takes on the species from the diverse object desired, as St. Thomas says in *Summa Theologica*, 2-2, question 76, article 4, ad 2, in the *Lic. Theol. Mor.*, volume 8.

[*Latin ed. p. 126*]

Saying: If he who curses desires the evil of another's death, his desire does not differ from homicide. Otherwise, if he wishes evil in a general way, as if he were to say: "Cursed be you; may evil befall you." However, a third opinion, which Croix holds in book 5, chapter 259, is quite probable, and it distinguishes, saying that one commits only one species of sin in the case where those evils are apprehended under one genus of evil, namely, as when one wishes ruin for one's enemy; otherwise, if the will is directed towards wishing those diverse evils specifically, as they say there, "Silv., Mol., Bon. etc. Quær. 6." Regarding whether a confessor commits more sacrileges by successively granting absolutions in mortal sins, Salm. chapter 12, paragraph 46, and Viva de pæn. question 5, article 6, paragraph 6, and Lugo cod. title d. 16, paragraph 558, with Rodr., and also Spor., Gob., Diana, etc., apud Croix book 5, paragraph 171, deny that he commits one sin, because formally he inflicts only one irreverence upon God; just as he who steals several sacred vessels commits only one sacrilege. But it is truer, as Conc. t. 10, page 531, paragraph 27, and Tourn. page 271, column 4, and

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Croix in the aforementioned place, with Bon., Dic., Escob. and others, teach, that he commits as many sacrileges as he grants absolutions; because each absolution is a distinct sacrament. The same is said of a priest who successively administers the Eucharist multiple times, Croix paragraph 172, with Bon., Vasq., Pal. etc.; because each communion is a distinct sacrament.

[*Latin ed. p. 127*]

Each individual communion is complete with respect to those who partake. But, as Viva and Fill., Bus., Diana, and others, in Croix, I, chapter (who also consider this probable), say, in this case, only one sin is committed, since there is only one administration and therefore only one communion. V. book 6, number 35. See above. Whether administering the Eucharist to a dying person is a mortal sin, see what is said in number 35, at the beginning.

CHAPTER II. OF SINS, MORTAL AND VENIAL.

FIRST DOUBT. WHAT IS A MORTAL AND A VENIAL SIN?

51: What is mortal and what is venial.

52. In how many ways can a sin be mortal?

It is important to note for those who are quick to condemn as mortal.

51. "RESPONSE. 1st. A sin is mortal which, because of its gravity, destroys grace and friendship with God, and merits eternal punishment. It is called mortal because it destroys the principle of spiritual life, namely habitual grace, and brings death to the soul."

"A sin is venial which, because of its lightness, does not destroy grace and friendship, although it diminishes the fervor of charity and merits temporal punishment."

[*Latin ed. p. 128*]

it may merit forgiveness. It is called venial because, provided the principle of spiritual life, namely grace, remains, it inflicts a readily curable weakness upon the soul and easily obtains forgiveness.

52. "Response 2nd: Mortal sin is twofold: one is mortal by its nature, the other by accident. It is mortal by its nature if it, by itself, harms the love of God or of the neighbor, whether concerning the person, the thing, or the rights, or if it gravely corrupts us ourselves. Thus, Az. 7. 4. c. 9., Sanch. 1. i. mor. cap. 3.

"Therefore, it is resolved: 1st: Sins committed against one's own proper good are, for the most part, venial by their nature: such as, for example, useless and vain desires, vain pleasures, prodigality, curiosity, extravagance in dress and adornment, trifles, idleness, excess in food, drink, sleep, laughter, the use of marriage, fear, sadness, the desire for money, praise, etc.

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2nd: Sins against the theological virtues are mortal by their nature, because they harm some internal good of God, such as truth, mercy, and charity. Also, almost all that is done against the Decalogue; because those things which are committed against the first three precepts similarly harm the divinity, the science, the omnipotence of God, and His external or internal honor; those, however, which are done against the remaining precepts harm the person or the rights of the neighbor."

[*Latin ed. p. 129*]

3. Those seven sins which are said to be capital are not all mortal by their very nature, because not all of them gravely offend God or harm our neighbor, or corrupt us ourselves.

"Response: Something is said to be mortal by accident when some act, which is either venial or indifferent, becomes mortal by accident; of which we shall speak later.

"Here it is important to note what Roncaglia writes in *Tractatus de Peccatis*, book 2, page 15, rule 1, namely, that 'where it is not clear that something is a mortal sin, the confessor should not judge someone to be a grave sinner and pronounce him guilty of such a sin and in need of penance.'

"Indeed, it is very dangerous for confessors to condemn something as being of grave guilt where there is no certainty, as St. Thomas teaches in *Summa Theologica*, question 9, article 15, saying: 'Every question in which a mortal sin is inquired about is determined perilously, unless the truth is expressly known.' And he gives the reason for this teaching a little later, namely, because the error of believing something to be mortal when it is not, binds the conscience to a mortal sin. Therefore, St. Antoninus writes in *Summa Theologica*, part 1, book 3, chapter 11, section 28: 'Unless there is an express authority from Holy Scripture or from a canon or determination of the Church, or evident reason, it is determined most perilously (whether something is a mortal sin)... For if it is determined that something is mortal, and it is not mortal;'"

[*Latin ed. p. 130*]

He will sin against reason; for everything that is contrary to conscience leads to ruin. Hence, it is observed into what danger those place themselves who, adhering to a rigid doctrine, easily condemn men for mortal sin in matters in which grave malice does not manifestly appear, thus exposing them to the peril of eternal damnation; and the same must be said of those who, with facile judgments, pronounce a note of laxity in opinions that do not seem openly improbable. See the words in book I, on moral theology. DOUBT SECOND. WHAT CAUSES MAKE A SIN, BY ITS VERY NATURE MORTAL, TO BECOME SO THROUGH A VENIAL ACCIDENT. 53. What is required for a sin. 54. From what causes can a venial sin become mortal? And, namely: 1. From imperfect knowledge. 55. 2. From imperfect consent.

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56. 3. From the smallness of the matter. 57. See the resolutions. 58. Suppose someone vowed to give three thousand gold coins, and then failed to pay three. 53. ANSWER. 1. Three things are required for a mortal sin; if one of these is lacking, then what is otherwise mortal is venial; namely: 1. From the part of the intellect, full knowledge and deliberation; 2. From the part of the will, perfect consent; 3. The gravity of the matter, at least to a considerable degree. The reason for the first and second parts.

[*Latin ed. p. 131*]

It is because, considering human frailty, it does not seem fitting for divine goodness to punish a man with eternal torments without full consideration and consent. The third reason is that where the matter is of little importance, there a morally slight offense is considered to be.

54. Response 2. A sin, by its very nature, can be made venial from three causes, as is evident from what has been said. The first is, if, on the part of the intellect, there is not perfect awareness of evil or deliberation. The signs of imperfect deliberation are: 1.º if you apprehended the evil lightly and as if half-asleep; 2.º if, afterward, when you consider it better, you judge that you would not have done it if you had apprehended it in that way; 3.º if you labored or were disturbed by the most vehement passion, apprehension, or distraction, so that you scarcely knew what you were doing. (See above, note 4.)

55. The second cause is, on the part of the will, if there is not perfect consent; as St. Thomas teaches, *Summa Theologica*, 1-2, question 88, article 6. (See above, note 5, concerning consent.) The signs of imperfect consent are: 1.º if you are so disposed that, although you could easily commit the sin, you nevertheless do not commit it; 2.º if someone doubts whether he has consented, especially if he is a timid person; 3.º if someone is accustomed to being so affected that he would rather die than commit a mortal sin expressly.

[*Latin ed. p. 132*]

because such a thing is not easily permitted: 4. Or, if someone remembers having proceeded with timidity and hesitation, if he was only half-hearted and not fully composed, and judges that he would not have done so if he had been fully vigilant. *V. Sanch. 1. mor. c. 10., Baldell. lib. 10. d. 8. » 56.* » A third cause arises from the matter itself, if this is of little importance. When this is the case, it must be discerned by the moral judgment of a prudent person, to whom the following rules apply. » 1. It must be considered that, in judging of the matter, not only must it be considered absolutely in itself, but also in relation to the intended end; for if it contributes little to that end, it is light; but it is grave if it contributes much, as Vasquez teaches, 1. 2. d. 158. (The rule is: the lightness of the matter is not given where, because of its lightness, the reason for offense is not excused, as

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happens in infidelity, hatred of God, simony, perjury, the sin of *venerea* [El-Kef], and blasphemy.) » 2. The circumstances must be considered; for it often happens that a thing which is light in itself, when considered with the circumstances of the common good, avoiding scandal, etc., becomes grave. » 3. Whether any part of the thing commanded is grave, it must be considered both absolutely and in itself, and also in relation to the whole. » 4. In repeated transgressions, if several matters, whether light in themselves or light in their effects, are morally joined together, a grave matter results; because then...

[*Latin ed. p. 133*]

"All things are considered morally as one: On the contrary, a grave matter is not considered if small matters, neither by themselves nor by their effects, are united with each other." Therefore, it is resolved: 57.

1. You sin mortally, so that a grave matter is constituted; if you frequently steal a small amount and do not restore it, according to what has been said elsewhere about theft; likewise, if you repeatedly omit a few psalms from the same office, if on the same day you frequently eat a small amount during a fast, if on the same feast day you frequently work a small amount.

2. You do not sin gravely, if you work a small amount on different feast days; if you eat a small amount every day during Lent: which is true, even if you simultaneously have the intention of doing so; because, since these things are not morally united with each other, each one is small. *V. Sanch. loc. cit.*

3. He does not sin mortally who, on different days, violates a daily vow, or who, on each day, omits a small amount of prayer or gives a small alms, if there is a duty attached to the day: because, since the obligation of each day is extinguished daily, those matters do not continue. This is true, even if he intends to always omit; because that intention does not pertain to a grave matter. Indeed, on the contrary, some think that Sanch. believes something different, even if someone makes 100 vows of different kinds, in matters that are very light, in one day.

[*Latin ed. p. 134*]

It would have to be fulfilled; because those matters, being independent of each other, are not united. However, if similar vows are not a burden affixed to a day, but only a day is designated as a deadline beyond which the fulfillment will not be postponed, then it will be a mortal sin after the matter has been brought to Mdina. » 58. » 4. o It is probable that if someone has vowed three or four times 100 gold pieces for pious causes, it will not be a mortal sin if he does not fulfill three of them; because, although such a part, considered absolutely in itself, may be significant, in comparison with the whole, it does not seem to be highly estimable in moral judgment. V. Laym. lib. 1. 2. 3. c. 5. » THIRD DOUBT. IN WHAT WAYS DOES A SIN, BY

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ITS NATURE VENIAL OR ACTUALLY INDIFFERENT, PASS THROUGH ACCIDENTS INTO MORTAL SIN? 59. How can a venial sin become mortal? 1. o Due to an attached end. 60. 2. o Due to a final end established. 61. 3. o Due to contempt. 62. 4. o Due to scandal. 63. 5. o Due to the danger of falling into a mortal sin. 64. Is it the case that someone who proposes to commit all venial sins is in a state of mortal sin? 59. » Sanch. etc. commonly teaches five ways in which this happens. 1. o By the reason of an attached end,

[*Latin ed. p. 135*]

2. Regarding the ultimate end; 3. Regarding contempt; 4. Regarding scandal; 5. Regarding danger. I shall speak briefly about each. "Response: 1. A venial sin passes into a mortal sin by reason of an attached end; for example, if someone lies lightly in order to procure carnal intercourse: because, when a mortal end is loved, it is mortal. However, it is not necessary in confession to express that lie, but only the desire for fornication; because, if the mortal malice of the end is removed, the sin remains venial."

60. "Response: 2. It also passes into a mortal sin by reason of an excessive affection for something; for example, if, for instance, you make that the ultimate end. To which it is not sufficient to be strongly and vehemently drawn to an object, but it is required that you esteem it, at least virtually, so that you are prepared to transgress a precept obliging under mortal sin, as if someone were so inordinately attached to stories, games, or a person that he would rather miss the Holy Mass than be deprived of them. (He who omits Holy Mass for the sake of games, it suffices that he confess that he omitted Holy Mass. See d.n. 10. But if someone, through love of games, were prepared to commit any mortal sin, that would be a sin of temerity, and a very grave one, but without a specific species.) Salm. tr. 20, c. 12, with Pal., Azor., Bon., Regin."

"It should be noted," says Bonaventure, "that this affection is not merely habitual, but actual."

[*Latin ed. p. 136*]

It must be understood that sin is contracted; for that which is done, to which one is merely prepared to commit, is not imputed as a fault.

61. "Response 3rd: A venial sin can be mortal because of absolute and formal contempt."

I say "absolute and formal contempt" when, namely, a precept is violated absolutely and formally, either because one refuses to submit to it or to a superior authority; which is the sin of consummate pride, or when one does not wish to obey a precept because it is a precept; and this is the sin of formal disobedience, both of which are gravely contrary to the due charity owed to a superior. (It is therefore one thing to despise the law or the legislator, even a human one, not as such a person, but as a legislator;

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which is mortal; it is another thing to despise the thing commanded; which is venial, if the matter is slight. Salm. c. 12, n. 18. See the words in L. 4, n. 161. See Fourth.)

From these, we resolve:

1. It is not mortal if one indeed wishes to obey and submit absolutely, but does not wish to do so here and now, in a minor matter; or if one admits the authority of the law or the one commanding, but nevertheless despises the execution here and now. The reason is that it is not absolute and simple contempt, but only in a certain respect.

2. If, precisely out of indignation, malice, a bad habit, or another cause, one disobeys a precept.

[*Latin ed. p. 137*]

"1. To violate [a precept] and not out of contempt for the superior authority, is not a mortal sin; because it is not a formal contempt, but only interpretative.

2. It is mortal to do or omit something out of contempt for a just human law; likewise, out of contempt for God commanding or even advising (which contains, therefore, a tacit blasphemy, as if God were commanding or advising about useless things); and finally, to do something out of contempt for a prelate, as if he were not holding authority from God, but rather as a simple man, unlearned, imprudent, imperfect; because the latter is not an absolute and simple contempt, but only in a certain sense. See Sanch. 1. moral. ch. 5; Bon. de peccatis, dub. 2, q. 3, p. 5.

62. "Answer: 4. A sin or an indifferent act, having the appearance of evil, passes accidentally into a mortal sin, if ruin is caused to a neighbor through it, leading to mortal danger. The reason is that something gravely repugnant to charity is added to such an act. See above concerning scandal; and Fill. 4. 21, ch. 6, q. 10, n. 212.

63. "Answer: 5. A venial sin or an indifferent act passes into a mortal sin through the reason of the danger of falling into a mortal sin; when someone, without sufficient caution or necessity, does something through which he comes into a mortal sin, and the neighbor is put in mortal danger of sinning mortally; because such..."

[*Latin ed. p. 138*]

He despises the salvation of his soul when, with such a probable danger to it, he recklessly exposes himself. Therefore, in confession, the nature of the sin must be explained, of which he exposed himself to the danger; because he has committed a sin of the same kind. The next danger is considered to be that which frequently leads people of similar condition into mortal sin.

Question: Here, does one sin mortally who exposes himself to a danger

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that is only probably mortal? The first opinion denies this. *Spiritualis de poenitentia*, chapter 2, number 324, and Gobinus, Hoz, Lumbroso, Murcia, etc., apud Croix, book 5, number 357. Because (as they say), since it is also probable in that case that the danger of sin does not exist, he who exposes himself to such an occasion does not act recklessly; for where the danger is not certain, there cannot be a certain obligation to avoid it. But it must be entirely held to be the opposite, as with Busenius, as above, whom Croix follows in the aforementioned place, along with Cardinal Cajetan, Elizabeth, and others. The convincing reason is this: because, if it is illicit to use a probable opinion without a just cause, with the danger of another's spiritual or temporal damage, as is certain among all, with Busenius, book 1, number 20, in fine; so much more will it not be permissible where the danger threatens one's own soul. It does not hinder to say that where the danger is probable, it is also probable that there is no danger; for it is answered that in that case, although the sin is uncertain whether it is or is not,

[*Latin ed. p. 139*]

It is not to be undertaken. However, there is certainly the danger of sinning. We have said: without a just cause; for where a just cause is present, there is no obligation to avoid such a danger, unless a moral certainty of falling into sin is foreseen. V. dicta l. 2. n. 26. v. Likewise. And thus, surgeons are excused if they expose themselves to danger in treating illnesses, even though they have sometimes in the past already fallen into sin for such an occasion; likewise, pastors who have experienced the same distress in receiving confessions; likewise, others are excused who cannot abandon their proper office, such as a judge, a soldier, an innkeeper, or a merchant, without serious detriment. Thus, Salm. de VII. præc. cap. 2. n. 47. with Nav., Hurt., Ant. a Sp. S. etc., also Elb. de pænit. n. 102., Ronc. eod. tit. cap. 4. q. 3., Spor. eod. tit. n. 526. and others throughout. The reason is that the danger, which is proximately related to oneself, then becomes remote, both by reason of the circumstances of necessity, and by reason of the precautionary measures which the person undertakes (as he is bound to do), namely, diligently turning away the mind from shameful delight or from another passion, and furthermore, protecting himself with pious thoughts, prayers, and the frequent reception of the sacraments. These measures, although they may not suffice to excuse [one] where there is no just cause, because God does not help those who recklessly expose themselves to danger, are nevertheless of great help.

[*Latin ed. p. 140*]

It is more fitting for one who, for a just reason, does not abandon an opportunity, provided that, in that circumstance, he does not remain attached to sin out of inclination, but rather out of some necessity. Conversely, some-

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thing different must be said concerning simple confessors who have repeatedly fallen into sin while hearing confessions; for these are bound to abstain from such duties, if they can do so without serious detriment to their reputation or livelihood, according to what is stated in book 3, paragraph 438, and paragraph 483, the words "Quid." But what if someone has always, or almost always, fallen into sin in such circumstances, and there is no hope of amendment? See the same, paragraph 438, where we stated that such a person is bound to abandon the opportunity under any circumstances and to save his own soul. See also book 6, paragraph 453, 64. Whether someone who intends to commit all venial sins is in a state of mortal sin, see what is stated in book 4, paragraph 12.

CHAPTER III. ON CAPITAL SINS IN SPECIFIC INSTANCES.

FIRST QUESTION. WHAT IS SUPERBITY, AND WHAT KIND OF SIN IS IT?

65. "Response: 1.° Superbia is an inordinate desire for one's own excellence; it is mortal in its genus, if it is consummated and perfect."

[*Latin ed. p. 141*]

That is to say, if anyone desires to excel to such a degree that he will not submit to God, nor to his superiors, nor to their laws. However, a fault, in which someone, not being reluctant to submit to those to whom he ought, magnifies himself only in his own estimation, is only venial, as Cajetan teaches (in *Superbia*). For, without contempt for God or others, to consider oneself more worthy than one is, is not a grave fault. However, it would be a grave fault if it were done with notable contempt for others, and with pleasure in the degradation of others.

66. "Response 2nd. The daughters of pride are three. The first is presumption; which is the desire to undertake something beyond one's abilities. It is commonly only a venial sin; however, it becomes mortal if it causes harm to God or one's neighbor; for example, if one presumes to exercise ecclesiastical jurisdiction, the authority of a religious order, or, likewise, the office of a physician, a lawyer, a confessor, etc., without due expertise. Lessius, *l. 3, c. 2, d. 3*, and *sup. l. 4, dub. g*. The second is ambition; which is an inordinate desire for dignity and honor that is not due, or is greater than what is due: as if one were to desire a benefice or office for which one is unworthy, or by an illicit means, for example, through simony. It is, by its very nature, a venial sin; however, it becomes mortal either by reason of the matter from which it arises, or by reason of the means by which the honor is sought, or by reason of the harm that is inflicted upon one's neighbor. Finally, if honor is sought moderately, for a good reason, it will be an act

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of magnanimity, as Layman teaches."

[*Latin ed. p. 142*]

The third is vain glory, that is, the folly of empty glory; whose end is the disordered manifestation of one's own excellence, whether true or feigned. It is called vain when it is sought from a bad, false, or feigned thing, or from something that is not worthy of glory, or not so worthy, such as from wealth, trifles, etc., or among those who do not judge the matter well, or without a due end. It is a sin in itself venial; often mortal by accident, as has been said of ambition. Indeed, as against the Angelic Doctor, Silv. and Nav. c. 17, etc., correctly teach, it is only venial to perform even sacred things primarily for the sake of vain glory, e.g., to preach. Furthermore, through vain glory, one sins in two ways, according to St. Thomas, 1. 2. q. 13. First, directly: and this is either through words; and this is boasting, which is venial in itself if it is about good things, e.g., fasting, prayer, etc., although it is often mortal by accident if it is false. Also, 1.º if one says something against the glory of God, as in Ezekiel 28: "I am God." 2.º If one bursts forth into insults, e.g.: "I am not, like the rest of men, an adulterer, etc." 3.º From a bad motive. 4.º If it is done with a noticeable harm to one's neighbor. 5.º If it is about a thing that is mortally bad; because the approval of the work has the same appearance as it. (These things, therefore, should be expressed in confession, especially when they are joined with boasting about a sin, because of the complacency in the same.) I add this, because...

[*Latin ed. p. 143*]

If, moreover, it is demonstrated by reason, Scripture, or the Fathers, that [a certain practice] is contrary to the teachings of Sanchez, Lope de Vega, Rodriguez, etc., it is not necessary to explain this further. (See Lugo, Disp. 16, n. 267.) Or, through actions; if these actions are true and possess some degree of wonder, it is considered the invention of novelties (for this is what the common people are wont to admire), such as through foreign garments, opinions, etc.; it is mortal if it notably corrupts youth or morals. But if the actions are false, it is hypocrisy; for example, if someone does something good in order to appear good, even though he is not. This, from itself, is venial, unless it is done with injury or contempt for God and one's neighbor. Secondly, indirectly, in so far as someone does not wish to be inferior to another. This occurs in four ways. 1st, through the intellect; and this is obstinacy, by which someone clings too stubbornly to his opinion; which is mortal if it opposes a truth of great importance, or if it is joined with the danger of another, for example, if a doctor, with the danger of a patient, remains in his opinion. 2nd, through the will; and this is discord, by which a person sins mortally when it is concerning the good of God or of one's neighbor, in which they ought to be in agreement. 3rd, through words; and this is contention, which is mortal when the arguments

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exchanged contradict a truth pertaining to the faith or the salvation of the soul or body. 4th, through actions, when someone does not wish to do what he ought; and this is disobedience. (See Baldovino, Resp. 3rd.) These are the three daughters of pride.

[*Latin ed. p. 144*]

It is answered that *vanity* is that whereby one, excessively distrustful of himself, rejects honors, glory, or an office to which he is worthy. It is of its own kind; and it becomes mortal if one rejects something to which one is attached under the condition of mortality. See V. Less. book 3, chapter 2; Laym. book 3, section 5. "Therefore, it follows that: 1.º He who hears praise of another, or of himself, concerning a morally bad matter, sins mortally if he approves of it, accepts it, or admires it as worthy of praise. Sauch., Bald. d. 29, n. 3. 2.º He who reproaches another out of vengeance, or for some other grave evil or sin omitted, for example, fornication, sins mortally; because it is a species of boasting, and it is with the approval of sin, and an opportunity for committing it. Ibid. 3.º He who introduces new habits into a city, and foresees that by his example he will impose a moral necessity on others to spend beyond their means, and afterwards they will not be able to support those they ought to, or to satisfy their creditors, sins gravely. Baldell. in loco. 4.º To adorn oneself excessively, out of levity or vanity of spirit, is by itself only venial. Ibid. 5.º Baldell, in the aforementioned passage, says that to simulate sanctity, with the intention of it not being mortal, is said. 6.º To simulate wickedness is a sin."

[*Latin ed. p. 145*]

(...quod est mendacium, et quidem scandalosum, et potest esse mortale). Nec hoc discernunt alacres, nisi faciendo id quod ex se est indifferens et permittendo ab aliis accipiendum signum improbitatis, cum tamen nec ex natura sua nec eorum intentione esset tale. » DUBIUM SECUNDUM. QUID SIT AVARITIA. 68. Quid est avaritia? 69. Quæ sint filiæ avaritiæ. 70. Quando et quibus peccant aperientes et legentes litteras alienas. 68. » R ESP. 1.° Est inordinatus appetitus temporalium. » Unde ex hoc et regula supra tradita de peccato mortali resolventur sequentes casus. 1.° Est ipsa ex genere suo venialis. » 2.° Cum vero ea excrescit, ut eius causa divinas leges prævaricari non dubites, fit mortalis. » 3.° Prodigalitas, quæ opponitur avaritiæ et consistit in defectu conservandi et excessu erogandi, est ex genere suo venialis: levior quam avaritia, quia minus abit a virtute liberalitatis. Interim mortalis fit, si liberis et uxori pauperiem creas, si impotentem terreddas ad solvenda debita, si profundas hominibus ecclesiasticis piis causis obnoxia. V. Less. l. 2. c. 47. l. 8. »

[*Latin ed. p. 146*]

Response 2. The following are considered vices of the will:

1. *Obduratio cordis* (hardness of heart), namely, a lack of compassion

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for the needy and poor, reproaching them, and demanding debts with excessive rigor when the creditor is not himself solvent, etc. This can sometimes be a mortal sin, when the precept of almsgiving or charity is pressing, and yet no assistance is given because of such hardness of heart. *Nav.*, chap. 27; *Tol.*, book 8, chap. 26. See what is said about charity towards one's neighbor.

2. *Inquietudo cordis*, that is, a vehement and disordered application of the mind to acquiring or preserving wealth, driven by greed and a vain fear that it may not be acquired or lost. It is mortal when it detains one from spiritual matters or other things to which we are gravely obligated (e.g., the hearing of Mass), or when it induces excessive fear and, consequently, distrust of God. It is venial if it concerns a good thing, but at an improper time or place, e.g., concerning the family, the Mass, the harvest, when one is in the temple or ought to be attending to God. *S. Th.* 2-2, q. 55, c. 6; *Reg.*, book 2, chap. 23, q. 3; *Escob.*

3. Violence is mortal when it is unjust and concerns a grave matter.

4. Deceit or trickery in words can be mortal because of the end or the means.

5. Fraud or trickery in action is mortal by its very nature, and it occurs in many ways.

[*Latin ed. p. 147*]

In contracts, both in regard to the matter (e.g., if it has a defect or is not what it is believed to be), and in regard to the price. *Nav.*, cap. 23; *Tol.*, lib. 8, c. 47; *Escob.*, § 6. Betrayal, which is deception against a trust given or owed, to the detriment of another, is mortal by its very nature. It usually occurs in three ways. 1st, Concerning persons; as when Judas betrayed Christ, and Delilah betrayed Samson. 2nd, Concerning things; either immovable, as when a soldier reveals to the enemy the way to capture the fortress; or movable, as when one shows a hidden sum of money, clothing, or other possessions to thieves. 3rd, Concerning secrets; either by revealing a secret entrusted to oneself (which is against fidelity and justice, if it was promised; because it is a burdensome pact, as Lugo teaches, l. 14, n. 139: and indeed it is mortal, if one can foresee that notable harm or discord will follow from it; otherwise, it is venial), or by opening and reading another's letters. The latter, if done in order to discover the secrets of another, is curiosity, and if it concerns a serious matter, it is mortal in itself: this is taught by *Tol.*, l. 7, c. 45; *Bald.*, l. 3, d. 11; *Nav.*, c. pen., d. 6, de pæn.; *Mol.*; *Laym.*, l. 3, t. 3, p. 1, e. 4 (who adds that he who maliciously opens and reads another's letters, to another's injury or detriment, commits the crime of falsehood).

[*Latin ed. p. 148*]

He contemns the salvation of his soul, when he recklessly exposes himself to so probable a danger. Therefore, in confession, the nature of the sin

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to which he exposed himself must be explained; because he has committed a sin of the same kind. The next danger is considered to be that which frequently leads people of similar condition into mortal sin.

Question: Does one sin mortally who exposes himself to a danger that is only probably mortal? The first opinion denies this, as stated in *Spiritualis de Poenitentia*, chapter 2, paragraph 324, and by Gobius, Hoz, Lumbroso, Murcia, etc., as cited by Croix, book 5, paragraph 357. Because (they say), since in that case it is also probable that the danger of sin does not exist, he who exposes himself to such an opportunity does not act recklessly; for where the danger is not certain, there cannot be a certain obligation to avoid it.

However, the opposite must be maintained, following Busenbaum, as mentioned above, whom Croix follows in the cited passage, along with Cardinal Cajetan, Elizabeth, and others. The reasoning is convincing, because, if it is illicit to use a probable opinion without just cause, when there is a danger of damage to another's spiritual or temporal well-being, as is certain among all, with Busenbaum, book 1, paragraph 20, at the end; then, how much more so is it not permissible when the danger threatens one's own soul. It does not object to say that where the danger is probable, it is also probable that there is no danger; for it is answered that in that case, although the sin is uncertain whether it is or is not,

[*Latin ed. p. 149*]

It is certain that there is a danger of sin, even if the act itself is not to be committed. We have said: without a just cause; for where a just cause is present, there is no obligation to avoid such a danger, unless a moral certainty of falling into sin is foreseen. V. dicta l. 2. n. 26. v. Likewise. And thus, surgeons are excused if they expose themselves to danger in treating women, even though they have sometimes in the past, on such occasions, already fallen into sin; likewise, pastors who have experienced the same distress in receiving confessions; likewise, others are excused who cannot abandon their proper occupation, whether it be that of a physician, soldier, innkeeper, or merchant, without serious detriment. Thus, Salm. de VII. præc. cap. 2. n. 47. with Nav., Hurt., Ant. a Sp. S. etc., also Elb. de pœnit. n. 102., Ronc. eod. tit. cap. 4. q. 3., Spor. eod. tit. n. 526. and others throughout. The reason is that the danger, from being inherent in the act itself, becomes remote, both by reason of the circumstances of necessity, and by reason of the precautionary measures which the person is bound to employ, namely, diligently turning away the mind from shameful pleasure or other passion, and furthermore, protecting oneself with pious thoughts, prayers, and frequenting the sacraments. These measures, although they may not suffice to excuse in the absence of a just cause, since God does not help those who recklessly expose themselves to danger, are nevertheless

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good works in themselves.

[*Latin ed. p. 150*]

It is more fitting for one who, for a just reason, does not abandon an opportunity, provided that, in that circumstance, he does not remain attached to sin out of inclination, but rather out of some necessity. Conversely, something different must be said concerning simple confessors who have repeatedly fallen into sin while hearing confessions; for these are bound to abstain from such a practice, if they can do so without serious detriment to their reputation or livelihood, according to what is stated in book 3, paragraph 438, and paragraph 483, the words "Quid." But what if someone has always, or almost always, fallen into sin in such circumstances, and there is no sign of amendment? See the same, paragraph 438, where we stated that such a person is bound to abandon any opportunity, whatever it may be, in order to save his soul. See also book 6, paragraph 453, 64. Whether someone who intends to commit all venial sins is in a state of mortal sin, see what is stated in book 4, paragraph 12.

CHAPTER III. ON CAPITAL SINS IN SPECIFIC INSTANCES.

FIRST DOUBT. WHAT IS PRIDE, AND WHAT KIND OF SIN IS IT?

65. R ESP. 1. Pride is an inordinate desire for one's own excellence; it is mortal in its genus, if it is consummate and perfect.

[*Latin ed. p. 151*]

That is to say, if anyone desires to excel to such a degree that he does not wish to be subject to God, to superiors, or to their laws. However, a fault, in which someone, not being unwilling to submit to those to whom he ought, magnifies himself only in his own estimation, is only venial, as teaches Cajetan, 5th place, on Pride; because, without contempt for God or others, it is not a grave fault to strive to be better than others. It would, however, be a grave fault if it were done with notable contempt for others, taking pleasure in the degradation of others.

66. "Response 2nd. The daughters of pride are three. The first is presumption; which is the desire to undertake something beyond one's abilities. It is commonly only a venial sin: but it becomes mortal if it causes harm to God or one's neighbor; for example, if one presumes to exercise ecclesiastical jurisdiction, the authority of a religious order, or, likewise, the office of a physician, lawyer, confessor, etc., without due expertise. Less. l. 3. c. 2. d. 3. and above, l. 4. dub. g."

"The second is ambition; which is a disordered desire for dignity or honor that is not due, or is due to a greater degree: as if one were to desire a benefice or office for which one is unworthy, or by an illicit means and

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method, for example, through simony. It is, by its very nature, a venial sin; but it becomes mortal either by reason of the matter from which it arises, or by reason of the means by which the honor is sought, or by reason of the harm that is inflicted on one's neighbor. Finally, if honor is sought moderately for a good reason, it will be an act of magnanimity, as teaches Layman."

[*Latin ed. p. 152*]

To open and read letters belonging to others is, of itself, mortal sin; because, depending on the circumstances, it can be venial or no sin at all, if it is done by legitimate authority and for a just cause. Therefore, I resolve: 70. "1st. To open and read letters belonging to others is often not a sin, if you reasonably know and believe that they were written to cause you unjust harm or injury, which you intend to prevent; because you can take measures to protect yourself. Thus, a prince can open the letters, not only of enemies, but also of others that come from neighboring places controlled by the enemy, during wartime. Likewise, public officials, whenever they judge it necessary for the public good. *Nav.*, cap. 18; *Reg.*, lib. 24, n. 60; *Escob.*, Lugo, d. 14, n. 148. (And this applies not only to princes and officials, but also to private individuals; as Lugo, d. 14, n. 148; *Ronc.*, de VII. præc., c. 4, qu. 5, r. 2, *cum Sanch.*; *Nav.* and *Bon.*. But see what is said in l. 3, n. 970, *in fine*.) 2nd. It is also generally not a sin if there is express consent from the person who sent or to whom the letters were sent (nor does a special law prohibit this, *Lug.*, l. c.), or at least tacit consent: as if you do so under the assumption that it will be ratified. Thus, *Escob.*, citing *Nav.*, *Regin.*, l. c. 3rd. A religious superior can open the letters of his subordinates (provided they are not sent to...)

[*Latin ed. p. 153*]

1. It is licit to open and read a letter that is of greater importance, or of such a nature that the statutes exempt it, or that does not come from him; whether by reason of the religious rule, or custom, or by a probable suspicion that it contains something harmful. V. Peyr. de relig. l. 1. q. 2. c. 1., Diana p. 3. t. 6. r. 55.

2. Nor is it a sin if it is necessary, or expedient, to read in order to avert an imminent injury to another, provided that no more is read than is necessary for that purpose. Lugo l. c.

3. He who opens and reads, believing that the letter does not contain anything of great importance, sins venially only. Lug. l. c.

4. Thus, generally, the Doctors agree with Lugo, d. 14. n. 148, Ronc. de VII. præc. c. 4. q. 5. r. 2. The Council, however, in de rest. q. 2. n. 5., with Mol., Nav., Sa., etc., states that, even if the subject matter of the reading is light, the reader can sin mortally, if another takes it as a grave injury. We admit that this can be a mortal sin, but not against justice, as seems to be

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the opinion of Bon.; because the gravity of the injury must be derived from the object itself, or the matter which, by itself, according to the common estimation of men, is apt to cause grave sorrow, as Croix says, l. 3. p. 2. n. 2., with the common opinion; but against charity, because of the great sorrow that another suffers from it, even if it is a slight injury.

5. If letters have been torn by another, and are in...

[*Latin ed. p. 154*]

If you collect publicly discarded writings and read them together solely out of curiosity, it is a venial sin; however, it is not a sin (in itself) if you do so with the intention of making use of the information contained within them, because it is permissible to put something that is considered abandoned to its proper use. Bald. from St. Antoninus, from Rosary, Silva, vol. 1, question 17, Layman, book 3, section 5, part 3, page 1, chapter 4, number 4, Diana, vol. 2, treatise 6, method, rule 5. (Similarly, Lugo, district 14, number 150, and Roncaglia, on the seven penitentials, chapter 4, question 5, rule 11, also state this, even if the owner had torn the writings into small pieces, because in that case, it appears that the owner has relinquished their right to them. However, Croix, book 3, page 2, number 1236, argues against this, as do Rebora and Petschius in their Ratio, because the very act of tearing the writings into small pieces sufficiently indicates that the owner does not want them to be read, and therefore does not intend to relinquish their right to them.) However, Layman correctly notes that, out of charity, one should not reveal a secret contained within such writings to others if it could cause harm to someone; indeed, he adds that revealing such a secret (the knowledge of which one has also rightfully acquired) would be a sin against justice if one understands that those who hear it will use that knowledge to unjustly inflict harm. See Layman, book cited. "I said first, 'things thrown away by the owner'; because if they have been thrown away by someone else (without the owner's knowledge) or have been lost by chance, it is not permissible to read them." "I said second, 'in a public place'; because if they have been thrown into a fire or furnace, for example..."

[*Latin ed. p. 155*]

"One sins if one takes and reads [documents] that are not intended for one. V. Lugo, d. 15, n. 130. I said, 3rdly, 'per se'; because it is possible that those [documents] contain things whose reading is harmful. 7thly, He who furtively reads the secret writings of another, against his will, sins. And 1stly, with the sin of curiosity, even if he does so with the intention of learning and without suspicion of causing harm. 2ndly, with the sin of injustice, because everyone has the right to privacy in his writings, which he does not wish to be shared with others; Nav. c. 15, Mol. t. 5, d. 36, n. 2, Reg. l. 24, c. 6, n. 119. And it can sometimes be a mortal sin, if, for example, it is done with notable harm, or if the other person greatly desires that his secrets remain

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hidden, and that they are about to be revealed very seriously. Baldell. d. 11. See also Lugo, loc. cit. 8thly, Whoever violates a secret without just cause, to the detriment of another, or who unjustly opens the letters of another, from which harm follows to the other, is bound to restitution. Bon. d. 2, de rest. q. 1, p. 1, Trull. l. 7, c. 10, d. 32. THIRD DOUBT. WHAT IS LUXURY? 71. "Response: 1stly, It is an inordinate appetite for venereal pleasures: the use of which, although it is instituted by nature for the preservation of the human race, which is the greatest good of men..."

[*Latin ed. p. 156*]

And that which is external to God, therefore, he who abuses it, injures both God and men. It is mortal, according to its nature. See above, Book 3, chapter 2, and Book 5, chapter 1, division 2. "Answer: The eight daughters of luxury, which follow her and her train, are these: four from the part of the intellect, and four from the part of the will." 1. "Blindness of mind; when someone is so addicted to wickedness that he does not think of heavenly things." 2. "Rashness; by which someone, for the same reason, acts without deliberation." 3. "Inconsideration; when, in a manner, he sins, acting inconsiderately in matters which would disgrace his status or person." 4. "Inconstancy; when someone, from the same affection, quickly deviates from pious purposes in pursuit of pleasures." 5. "Self-love; for such a person makes himself the end of his actions, and not God, for the sake of pleasures." 6. "Hatred of God; for the lascivious person is wont to abhor divine things, indeed, even God Himself, as the avenger of sins." 7. "The affections of this present age; for the love of carnal pleasures so affects the soul that it is ready to renounce even eternal blessedness, if it were always permitted to enjoy present things."

[*Latin ed. p. 157*]

8. "Horror of the future age; when immersed in pleasures, one excessively fears death and, unwilling to think about it, strives to prolong life through illicit means, etc." The first four [vices] are mortal, when the ultimate end is placed in a creature, or when some commandment of God is gravely transgressed. The latter four, if there is full consent of the will, are of themselves mortal; but they are often venial through inadvertence or some other imperfection of the act. (Escob. et Baldell. II. cap.)

"FOURTH DOUBT. WHAT IS ENVY? 72."

"R ESPONSE. It is sadness concerning another's good, as if that good diminishes one's own excellence; thus, it is directly contrary to charity, for charity rejoices in the good of the neighbor, while envy desires the destruction of that good, or grieves if it is not destroyed. (Regarding this sin, see propositions 13, 14, and 15, among those condemned by Innocent XL.)"

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"Therefore, it follows that: 1.º It is, by its very nature, a mortal sin, and indeed a very grave one, and against the Holy Spirit, if it is directed against the grace or help of God."

"2.º Similarly, the following are mortal sins by their very nature, and are included among them: 1.º Hatred; concerning which..."

[*Latin ed. p. 158*]

1. Concerning the above.

2. Concerning Detraction; on which see chapter VIII above.

3. Concerning Joy in the misfortunes of a neighbor.

4. Concerning Whispering; which is a malicious utterance about a neighbor, intended to diminish his friendship with others, and therefore, the one who whispers is obligated to make amends and reconcile, just as the detractor must repair the damage to reputation. Vincentius, preceding chapter VIII.

"Can one dissolve a friendship before defamation has occurred, by narrating, that is, the natural defects or similar qualities of the other, so that he may take the place of the one who is expelled?" The authors Azor., Trull., Fill., etc., apud Salm. de rest. c. 4, n. 22, deny this. But Salm. ibid., along with Soto, Bon., Arag., Serra, Prado, affirm that it is permissible, even without force or fraud, to procure for oneself a free benefit from another, with the exclusion of another. However, the first opinion is more probable, as Less. l. 2, c. 11, n. 14, and Salm. c. 4, n. 45, along with Nav., Bon., Sayr., and Diana, teach in common: the propagation of natural defects is a grave sin, if thereby another is prevented from obtaining some temporal good; therefore, since such propagation is inherently unjust, it is fraudulently used to deprive another of an acquired friendship.

3. If the sadness is concerning the good of another, to the extent that one fears harm to oneself or others from it, for example, if an enemy of yours is elevated to an office, so that he may more easily harm you, this is not envy, but fear, which in itself is not.

[*Latin ed. p. 159*]

Sin, unless it be disordered. Layman, book 3, treatise 3, chapter 10, number 4. "If sorrow arises from that which is lacking to us which another possesses, yet so that we do not begrudge that to the other, it is not envy, but emulation or zeal; which, if it is concerning a virtuous good, is praiseworthy; but if it is concerning temporal things, it is sometimes venial; as when the good is disproportionate to the sorrow, as if a peasant were to grieve that he is not a king. Layman, book 3, treatise 3, chapter 10, number 2. "If sorrow arises from the good of another in as much as that other is unworthy, it is not envy, but indignation; which is not a sin; yet it will be, indeed, mortal if it either impugns the providence of God (and this is blasphemy) or if it affects one so much that it leads men to imitate evil.

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Cajetan, Layman, book, chapter. "If you are grieved that another, who is equal to you or not greatly unequal in excellence, progresses so that he surpasses you, and you perceive that very progress in excellence as an evil to yourself, then this is properly called envy; for the envious man is said to be one who is not seeing, because he cannot see the good of another without sorrow. Baldwini, book 3, question 29. Thus they often sin: 1. The ambitious and those who seek glory from some thing; for when they place that in a thing, so that they are alone and singular in that thing, they grieve and are saddened if others approach. 2. The timid, to whom..."

[*Latin ed. p. 160*]

Everything appears great, but anyone considers another's good to diminish their own; thus, women, for example, easily perceive and grieve when they are surpassed in goodness by another, for example, in beauty. 3. The elderly with respect to the young, and anyone who has obtained something with difficulty that others easily attain. Bald. *loco citato*. 7. Those who, because of the prosperity of others, desire that they had not been born, or that they had become a brute animal, or that the day of their birth or the day they first saw another or took a spouse were accursed, if they only intend to curse an irrational creature, for example, the day (whether of birth or of marriage), which has brought forth so many evils of guilt or punishment, seem to commit only a venial sin (sometimes even no sin at all, as in the case of Job); but if they deliberately intend to wish evil to a human being, either to themselves or to another, who was born or married on that day, it is a mortal sin. Escob. et March. *manuale*, chapter 3.

DOUBT NUMBER FIVE. CONCERNING GLUTTONY. ARTICLE FIRST. WHAT GLUTTONY IS.

73. "It is a disordered appetite for food and drink, and it is opposed to abstinence; and it is committed in five ways: 1. If you eat before..."

[*Latin ed. p. 161*]

Time, 2ndly, if it is excessively prolonged; 3rdly, if it is more than is just; 4thly, if it is voracious; 5thly, if the food is prepared with excessive refinement. Layman, book 3, section 4, paragraph 5. "Therefore, it follows that: 1stly, Gluttony, by its very nature, is only a venial sin; because none of these circumstances necessarily contradict the love of God or of one's neighbor. (Note here proposition 8, condemned by Innocent XI: To eat and drink until one is sated for the sake of mere pleasure, is not a sin. However, one may use the enjoyment of food for the sake of the health of the body, as Salm, in the aforementioned passage, volume 2, paragraph 4, quotes from St. Augustine.) 2ndly, Therefore, it is probable that what Navar, Tollet, etc., teach, and which does not contradict Layman, except for scandal and other considerations, is that to fill oneself with food and drink until one

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vomits is only a venial sin; and this even if someone vomits in order to be able to drink again; which, however, some, such as St. Augustine, consider to be a mortal sin. See Baldovino, Escobar, volume 2, book 4, chapter 2, paragraph 5. (To eat or drink until one vomits is probably only a venial sin by its very nature, unless there is scandal or a noticeable detriment to health, as Holzmüller commonly says, volume 1, page 154, paragraph 732, and Salm, treatise 25, chapter 4, paragraph 8, along with Cajetan, Navar, Henry, and Layman, book 3, section 4, paragraph 2. However, those who spontaneously vomit what they have consumed in order to eat or drink again, are scarcely excused from a mortal sin; for this seems to involve great...")

[*Latin ed. p. 162*]

"Deformitatem. Thus, it is probable, contrary to Bus., Holzm. l. c. and Wig. tr. 5. ex. 3. n. 70. r. 2.)"

"3.º It is scarcely doubtful that it is permissible to induce vomiting by means of food or drink, or otherwise, if it is judged to be beneficial.

4.º Intemperance is considered mortally sinful in the following cases, due to accident and excessive disorder:

1.º If someone, for the sake of gluttony, violates the fasts of the Church.

2.º If someone, through gluttony, becomes noticeably unfit for the duties to which he is bound under mortal sin.

3.º If someone, being aware of it, causes serious harm to his health; otherwise, if only slight harm is caused, e.g., if a feverish person increases his illness by drinking water.

4.º If continuous feasts and drinking bouts occur, to the point that the stomach is treated as a god.

5.º If someone drinks to the point of complete drunkenness; concerning which, see below.

6.º If someone, purely out of gluttony, consumes human flesh or blood; both because it is contrary to the piety owed to the dead, and because it is against the instinct of nature, which abhors it.

However, it will be excused if it is done for medical reasons or another just cause, e.g., extreme hunger in a siege; in which case, however, you are not obliged to preserve life in this way. Sanch. 1. mor. c. 8., Less., Laym. lib. 3. sect. 4., Sa, Bon., Bald. lib. 3. c. 29.

Thus also, those who are said to invigorate themselves by drinking human blood, in order to better perform their duties, are excused."

[*Latin ed. p. 163*]

Moreover, it is said that, according to many, the blood is not animated. See the cited authors, numbers 74 and 5. Furthermore, venial sins are those which are called "of the flesh," namely, those pertaining to the soul: 1st,

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dullness of mind or stupidity born of drunkenness; for example, when one is unable to pray, etc.; this becomes mortal when, by drinking or eating immoderately, one voluntarily becomes incapable of understanding or performing those things which are necessary for his salvation, or to which he is bound by duty or otherwise under a grave sin. Bald. d. 29, lib. 3, n. 15. 2nd, Improper joy, by which is understood not any disordered thing that follows every sin, but that which incites to obscene songs, lewd acts, indecent dances or gestures, etc.; and it becomes mortal when it leads another to consent or delight, or when it is ordered to that end. Ibid. 3rd, Excessive talking. 4th, Lewdness, which differs from improper joy and excessive talking in that the former occurs in the appetite, this in words, and lewdness is always in words and gestures, and always contains some dishonor, although it may be venial in itself and without scandal; for example, to say or sing lewd things, to emit vulgar expressions, etc., out of levity to excite laughter; however, it would be mortal if it were the cause of venereal delight. Baldell, in loco citato; Escob, tom. 2, cap. 2, cap. 4.

[*Latin ed. p. 164*]

Concerning the body, uncleanness, vomiting, and the emission of semen. That last, if voluntary, will be mortal. See Layman, book 3, section 4; Lessius, book 3, chapter 3; Baldovin, book 3, chapter 29.

ARTICLE SECOND. WHAT IS DRUNKENNESS?

75. In what does the sin of drunkenness consist? And when is it mortal?

76. Is it a sin to become drunk by order of a physician, or out of fear of death?

77. Is it always a sin to make another drunk?

78. When is drunkenness excused from being mortal? Are all the evils committed in drunkenness sins?

75. Answer: The malice of perfect and complete drunkenness consists in the fact that someone, without a just and serious reason, solely for pleasure or gluttony, knowingly and willingly deprives himself of the use of reason; not simply, as happens in sleep, but in a natural way, instituted by the Author of nature for the preservation of strength and the image of God: but violently, and in an unnatural way, by disturbing reason and disfiguring the image of God, like a mad brute; and at the same time, by depriving himself of the immediate power of using reason, for any sudden necessity. Thus, the common Doctors teach. Therefore, it is resolved: 1. Perfect drunkenness, in the manner described above,

[*Latin ed. p. 165*]

Reason, indeed, is wholly extinguished, and is of its very nature mortal; for it is considered an injury to God to so disfigure His image. The Doctors

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commonly say: "It is certain among all that, for drunkenness to be a mortal sin, it must be perfect, that is, it must wholly deprive one of the use of reason; as is taught by St. Thomas [II-II, q. 150, art. 2], and with him all the Doctors, in this consists the wickedness of drunkenness, that a man, knowingly and willingly, deprives himself of the use of reason. And the same is taught by St. Antoninus [p. 2, disp. 6, cap. 3, § 1]. Therefore, he does not sin mortally who, from drinking wine, does not entirely lose the use of reason, although his mind may be disturbed, so long as he is able to discern between good and evil, as commonly say Tollet [de pecc. mort., c. 51, n. 3], Cajetan [in D. Th., l.c.], Salmeron [tr. 25, c. 2, n. 21], Elbing [t. 1, p. 225, n. 663], Wigand [tr. 3, ex. 3, n. 70], Holzapfel [t. 1, p. 154, n. 730, in fin.], Lamy [lib. 3, sect. 4, n. 5], and others. Croix adds [lib. 5, n. 317], with Anglerius, Tannero, Fagius, and Gobinus, that drunkenness is not mortal if it deprives reason only for a short time. Croix says that a long time is to be understood as one hour. But whether he who drinks wine until he vomits, without becoming intoxicated, sins mortally, see what has been said above, n. 73, v. 2, and n. 76, 2.º. It is not a sin to intoxicate oneself by order of the physicians, if otherwise health cannot be restored. [Silv., Caj., Lamy]."

[*Latin ed. p. 166*]

Question: Here, first, whether it is permissible to become intoxicated by the advice of physicians, when intoxication is considered absolutely necessary to expel a disease. Very learned doctors labor on this question, although it seems that such a case rarely occurs. The first opinion affirms; and it is held by Bus., Less. l. 4. c. 3. n. 13., Tol. de pecc. mort. c. 61. n. 4., Laym. l. 3. sect. 4. n. 5., Pal. tr. 3o. d. 3. p. 5. n. 2., Ronc. pag. 23. q. 3. r. 5., Spor. t. 1. p. 95. n. 69., Tamb. de præc. eccl. cap. 3. n. 31. et Salm. tr. 25. cap. 2. n. 35. with Silq., Caj., Silvest., Escob. etc. The reason is, because food and drink are sinful when they are immoderate; on the contrary, St. Thomas, 2-2, q. 150, a. 2, ad 3, teaches that food and drink are moderate according to what pertains to the health of the body; and therefore, it sometimes happens... that what is superfluous for the healthy person, is moderate for the sick person. Therefore, the drinking of wine, even if it causes intoxication, is not to be called superfluous with respect to the sick person for whom it is necessary for his health. And this opinion seems to be favored by the same St. Thomas, 1-2, q. 88, art. 5, where he says: "For if anyone, without necessity, renders himself impotent in the use of reason, by which man is ordered to God, and many sins are avoided, solely for the pleasure of wine, he expressly contradicts virtue. Note the words 'without necessity'; therefore, if there is a necessity, it does not contradict virtue."

[*Latin ed. p. 167*]

It contradicts. The second opinion, however, denies this, and this view is held by *Cont. Tourn. t. 2. pag. 369. in fine*, *Petroc. t. 2. pag. 181. q. 3.*,

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Holzm. t. 1. pag. 155. n. 736., *Pot. de vitis c. n. 3782.*, etc. The reason is that voluntary deprivation of reason through drunkenness is intrinsically evil; therefore, just as fornication can never be permitted, neither can this. However, the first opinion seems quite probable, and indeed, it seems more probable to me in the case where the drinking of wine is offered to expel or correct bad humors; then, the deprivation of reason occurs accidentally and indirectly, and therefore it can be lawfully permitted, as it is lawful for a mother to take a medicine directly intended to preserve her life, even though indirectly it results in the expulsion of the fetus, as we have said in book 3, number 394. Therefore, let us consider. Conversely, it must be said that it is wrong if drinking is offered directly to cause drunkenness or to cause a deprivation of reason; for this would always be intrinsically evil. Hence, as Croix rightly observes in book 5, number 331, with Tann., Dicast. and Gob., it is never lawful to inebriate oneself in order to dull the senses, so that one does not feel the torments. 3º. Nor is it a sin if someone is forced to drink by a threatening sword. See *Less. t. 4. c. 2. d. 4. n. 37*, *Az., Reg. et Bald. » Quær. 2.º* whether it is permissible for someone to inebriate themselves to avoid death, which another would inflict upon them unless they become drunk. The first opinion affirms, and

[*Latin ed. p. 168*]

This view is held by Bus. Less. l. 4. c. 3. n. 37, Bon. de præc. eccl. d. ult. qu. 1. p. 1. n. 3, Pal. tr. 3o. d. 3. p. 5. n. 2, and Laym. considers it probable in lib. 3. sect. 4. n. 5. The reason is, firstly, because although a man does not have dominion over the use of reason, he does have it in order to promote the good of the whole, and therefore he can dispose of such use as is necessary for the preservation of the whole; secondly, because in this case, there is no intention of depriving, but only of permitting, and therefore no one is obligated to prevent it, provided it does not endanger his life. The second opinion, which is considered more probable, holds that this is not licit, and is held by Holzm. t. 1. p. 155. n. 736, Wig. tr. 5. ex. 3. n. 71, Azor. p. 1. l. 7. c. 3. q. 5. in fin, Tourn. t. 2. p. 269, and Salm. tr. 25. c. 2. n. 45. The reason is, because (as we have said) to directly deprive oneself of the use of reason is intrinsically evil; and there is no excusing cause present, as in the previous question; for there, wine is a means ordered by itself to expel the disease, but not here. Furthermore, in that case, the danger to life is intrinsic, namely, from the disease afflicting him, and therefore it is licit to expel it by drinking wine; but here, the danger is extrinsic, and therefore it is illicit to free oneself from it by drunkenness: just as it is licit for a mother to expel an inanimate fetus by means of a drug to preserve her own life, but...

[*Latin ed. p. 169*]

It is not permissible to resort to [such measures] to avoid death for the sake of one's relatives, according to what is stated in Law 3, paragraph

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394. Our opinion is confirmed by the authority of St. Augustine, sermon 232, on time, where he says: "Even if it were said to you: either you drink, or you will die, it would be better that your flesh should perish soberly, than that your soul should die through drunkenness." It does not hold that, as Lessius states in paragraph 38, this passage should be understood only when someone is forced to drink in contempt of virtue; for there, the Saint does not mention anything about contempt, but only speaks of those who are drunk, who are wont (as he says) to excuse themselves in this way, saying: "A powerful person forced me to drink more, and I could not do otherwise at the king's banquet." You will object: "Can someone lawfully desire to have his hand cut off, so that he may not be killed? Therefore, can someone also lawfully desire to become intoxicated, in order to avoid death?" But it is answered, with Holzmüller, that the reason is different; for a part is naturally ordered to the preservation of the whole body, but the use of reason is not ordered to the life of the body, but to preserving the integrity of the soul. And here, I repeat once again what I stated at the beginning, namely, that when I present an opinion that I consider to be uniquely more probable, I do not therefore understand that the opposite opinion is necessarily improbable. Just as, when I say that I do not dare to condemn a certain opinion, or to call it improbable, I do not mean that I consider it to be probable; but rather, that I am not yet able to form a judgment about it.

[*Latin ed. p. 170*]

I doubt its probability. Furthermore, when I call a certain opinion more true, I understand that I do not consider the opposite opinion to be supported by solid probability, although I do not entirely disapprove of it. 4th. It is mortal to intoxicate another, or to incite him to drink equally, with the intention of intoxicating him, or with the awareness of the ensuing drunkenness, either in himself or in another. *Less. l. c.* "77." 5th. If there is a just cause, for example, if a great evil cannot otherwise be prevented, unless the author himself becomes intoxicated, it is permissible to lead him to drunkenness, which, at least, is not voluntary for him, so that he may, as it were, unintentionally and therefore innocently become intoxicated; for example, by offering very strong or medicated wine, by the force of which he is deceived without knowing it. Thus, you could intoxicate those who would otherwise betray the city or abduct you. *Less. l. c. et Sanch. lib. 2. de matrim. d. 11.* Whether, in this case, it is permissible to lead another to voluntary drunkenness is doubtful. *Less. lib. 4. c. 3. d. 4. n. 32* affirms this, saying that it is permissible to persuade and induce to a lesser evil, in order to prevent a greater one. *Laym. l. 3. sect. 4. n. 6* more correctly denies this, because in no case is it permissible to lead another to sin. Therefore, the question arises whether it is permissible to lead someone to drunkenness in order to prevent him from committing a greater evil, such as sacrilege

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or murder. Three opinions exist. The first.

[*Latin ed. p. 171*]

He affirms, and Lessius maintains this in book 4, chapter 3, paragraph 33, and Medel, Gobinus, and Dian, among others, cite this in Croix, book 2, paragraph 224. The reason is that it is permissible to commit a lesser evil in order to prevent a greater harm. The second opinion, which is held by Layman in book 3, section 3, paragraph 6, by Bona in volume 2, final division, concerning ecclesiastical privileges, question 1, paragraph 1, number 3, by Palearius in volume 7, treatise 30, division 3, paragraph 5, and by Salmeron in treatise 25, chapter 2, paragraph 51, states that it is permissible to induce another to material drunkenness, that is, when the other becomes drunk without sin, for example, by giving him very strong wine or a medicinal drink; because, on the one hand, he does not sin, and on the other hand, the harm of drunkenness is permitted in order to avoid a greater harm to others. However, they say that it is not permissible to induce someone to formal drunkenness, namely, when he sins himself; because this is intrinsically evil and therefore never permissible. Nor, they argue, does the reasoning of Lessius present an obstacle; for they respond that this is valid only when the lesser evil is not included in the greater evil, as if you were to induce someone who wants to kill an enemy to strike him only lightly, and not truly when the evil is distinct. Finally, the third opinion, which is defended by Tournhem in volume 2, page 369, at the end, and by Holzbauer in volume 1, page 155, paragraph 735, along with Arsdech, states that it is not permissible to induce anyone to drunkenness, neither formal nor material, for any reason whatsoever.

[*Latin ed. p. 172*]

It is to be avoided; because (and in this matter they speak correctly) evil, even if material, which is contrary to natural law, is truly evil; therefore, it is never permissible to cooperate with it. However, despite these considerations, the first opinion seems to me, and to other learned men whom I have consulted, to be quite probable, whether drunkenness is considered material or formal, for the reason already mentioned; because it is permissible to induce another to commit a lesser evil in order to prevent him from committing a greater one, according to what we have said in book 2, paragraph 57. Nor does what they say in Salm., cited above, against Lessius, present an obstacle; for although the evil of drunkenness does not seem to be included in that greater evil of sacrilege or murder, since they are distinct evils in themselves; nevertheless, in truth, it is virtually already included in that greater spiritual evil, since every spiritual evil includes, indeed, exceeds whatever temporal evil, so that everyone is bound to suffer any temporal evil in order to avoid even the smallest spiritual evil. Furthermore, it is not proper to say that it is not permissible to advise a third party to commit a

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lesser evil, because then the one advising would be the direct cause of the third party's harm, which would not happen to him unless he had been advised. This is true when an evil is to be inflicted upon an innocent third party, who is not obliged to suffer that harm in order to avoid the spiritual evil of another; but not in our case, where the one who is induced to become drunk is, in fact, obliged.

[*Latin ed. p. 173*]

To endure (as we have said) whatever temporal evil, in order to avoid a greater spiritual evil.

78. 6. If someone does not foresee the danger of drunkenness, and is thus caught by wine, or if, going out into the open air, he is disturbed by the wind, and does not foresee this, he is not guilty. Therefore, many are excused who, judging prudently, still believe that they can take a small drink without harm. However, they should cease to judge so prudently, if they have had a contrary experience of themselves.

Thus, generally, the Doctors [of the Church] agree with *Doctor Thomae* (Summa Theologica, 2-2, question 150, article 2), who says: "Drunkenness occurs in three ways: in one way, so that one does not know that the drink is immoderate and intoxicating; and in this way, drunkenness can be without sin; in another way, so that someone perceives that the drink is immoderate, but does not believe that the drink will intoxicate him; and in this way, drunkenness can be with a venial sin; in a third way, it can happen that someone clearly understands that the drink is immoderate and intoxicating..., and in this way, drunkenness is a mortal sin, because, according to this, a man, knowingly and willingly, deprives himself of the use of reason."

He adds: "What makes drunkenness a mortal sin is not the mere repetition of the act, but because it cannot be that a man is frequently intoxicated, without knowingly and willingly incurring drunkenness, since he often experiences the strength of wine and its ability to cause drunkenness."

[*Latin ed. p. 174*]

It must, however, be diligently noted that if anyone consumes such a quantity of wine that is suitable [to inebriation], he is, in no way, excused from mortal sin, even if, before his senses are deprived, he commits himself to sleep, in order to escape the effects of the wine: because that quantity is already intrinsically bad, since it is already, of itself, suitable to deprive a man of the use of reason, and it has, by accident, the characteristic that he himself, either through sleep or through inebriation, will be deprived of his senses.

7.º If someone, after drinking, can still discern between good and evil, although his imagination may be somewhat disturbed, or vomiting may follow, his tongue may stammer, his feet may waver, his eyes may see dou-

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ble, or the house may seem to spin, he is not yet fully intoxicated: therefore, it will be only a venial sin, although, if deliberately committed, it may be of a graver kind. *V. Laym. I. c.*

8.º Full intoxication is indicated by the signs given by Less. d. 4. n. 30, and Reg. 1.º If he does not remember what was said, what was done, how or when he was brought home. 2.º If he committed things which he never would, with a sound mind: for example, if he spoke shameful things out of the ordinary, disturbed the house, beat his wife, etc.

9.º Evils committed in drunkenness, if they were not foreseen, or if precautions were taken, are excused from guilt.

[*Latin ed. p. 175*]

What if the words are evil? Psalm 119 (Douay-Rheims numbering), chapter 20, verse 10, number 27, and more fully in the preceding chapter, number 31. Soto and others distinguish, saying that if the evil is in the action, such as murders, fornications, etc., they are imputed to culpability; but if the evil is in the words, such as insults, blasphemies, and perjuries; because, as they say, those words uttered by a drunkard are not formal words, in the sense that they are not words spoken by a rational person for whom they are accountable, but are merely sounds or material words, as if uttered by a parrot or a magpie. I do not dare to say that this opinion is implausible, but rather I adhere to the opposite opinion, as taught by Sanchez in *Decreta*, book 1, title 1, chapter 16, number 44, who, along with Cajetan and Toldeo, teaches that blasphemies are precisely true and formal sins in their essence, since the person freely utters them. For indeed, insulting words spoken to men in drunkenness do not, rightly, inflict any dishonor upon those men; but, on the other hand, if they are uttered against God, according to what is said in book 3, number 123, near the end, where we said that blasphemies, even if uttered without intention or materially, are not excused from sin, since the very voluntary utterance of them tends to a diminution of divine honor. And in our case, although the utterance is not voluntary in the act, it seems to be voluntary in its cause.

[*Latin ed. p. 176*]

DOUBT FROM SESTRI. WHAT IS ANGER. 79. When anger is a sin. 80. Concerning the sins that arise from anger. 81. Whether an insult is ever without fault. 82. How manifold is an insult. 83. What is required for a curse or imprecation against men to be mortal.

79. ”RESPONSE: It is an inordinate desire for vengeance. This inordination, according to the Doctors of the Church, can occur in two ways: 1.° By the manner of becoming angry, for example, if one burns inwardly or outwardly manifests it through excessive signs. 2.° By the object, if one desires vengeance for a plainly unjust cause, or if for a just cause, one desires a vengeance that is greater than what is deserved, for example, by

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wishing death upon an enemy who does not merit it, or by seeking to carry out that vengeance through one's own authority, or finally, even if the vengeance is just, one does not desire it as just, but as a means of satisfying one's malevolent spirit. Therefore: 1.° If vengeance is desired in an orderly manner, it is not a sin of anger; for example, when superiors become angry at the faults of their subordinates and punish or avenge them. 2.° Inordinate anger, in the first manner mentioned above, is, by its very nature, a venial sin; however, it can become mortal if an accident is added to it, such as blasphemy, a curse, or scandal."

[*Latin ed. p. 177*]

80. "3.º An inordinate anger, in the second sense, is of its very nature mortal; because it is directly contrary to charity. Bald. lib. 3. dist. 21. "4.º Concerning the daughters of wrath, which are partly from the heart, such as indignation and mental agitation; partly from the mouth, such as shouting, blasphemy, insult, and cursing; partly from actions, such as quarrels, fights, and seditions; one must speak differently according to the rule given above. For 1.º Indignation, which is an inordinate affection arising from the belief that one is being treated unjustly, is commonly venial; indeed, if it proceeds from a just judgment of reason, it is not a sin at all. However, it could be mortal if it grew to deliberate hatred and contempt of a person, causing grave offense. 2.º Mental agitation, in which one morosely contemplates various ways of revenge and fills the mind with such thoughts, must be judged as a sin according to the nature of the revenge that is contemplated. V. Tol. lib. 8. c. 58. - 3.º Shouting, when an angry person raises his voice and pours forth many things in an inordinate and confused manner, is commonly venial, unless something else is added. 4.º Blasphemy is mortal, as discussed above in book 3, chapter 1, paragraph 5. Insult, by which one imputes some evil to one's neighbor with the intention of dishonoring him, is of its very nature mortal. "81. "I said 'with the intention of dishonoring': because it is not done with the intention of correcting, humbling, or for some other reason. LIG. Theol. Mor. T. VIII. H."

[*Latin ed. p. 178*]

A superior may utter a word that, in itself, is somewhat insulting; just as Christ called the Apostles fools, and the Apostle called the Galatians senseless. However, sin is committed if the measure of due correction is exceeded, or if the one being corrected is dishonored more severely than he deserves by his offense. See Bald. d. 34, n. 10. Furthermore, as Cajetan teaches, an insult can be merely venial if it is only minor, or if it is only material, without the intention of dishonoring; provided that it does not result in a notable injury to the honor of another. Thus, many parents are excused, at least from mortal sin, when they call their children donkeys, etc.; likewise, women, children, and people of low status who burden themselves with

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insults: because, since they are not held in high regard, their honor is not gravely injured. See Bon. l. 3, q. 2, p. 5. Finally, if, for the sake of jest, minor faults are pointed out through appropriate recreation, this is considered urbane, according to St. Thomas, 2-2, q. 72, art. 2, provided that the other person is not saddened or provoked to anger.

82. 5º. An insult can also be committed through actions, either indirectly, as when one tramples or burns another's image or writings; or directly, as when one strikes an honest man with a club; or affixes horns to his door, or presents something that damages the honor of another. To this category belong derision, mockery, and scorn, when they are expressed through gestures, such as a wrinkled nose, extended lips, etc.

[*Latin ed. p. 179*]

Considering the confusion of one's neighbor, which, if it be grave, or at least if the neighbor is greatly saddened by it, constitutes a mortal sin. Bonaventure, Molinet, Baldinsello, lib. 3, dist. 3, etc., citing from the Summa Theologica. Note that he who has injured another's honor through contempt is obligated to restore it, even if the reputation has not been damaged. This can be done either through a respectful and friendly greeting, or an invitation to the table, or a request for forgiveness (even bending the knee and in the presence of witnesses), according to the gravity of the offense. See Lugo, d. 15, n. 53. Furthermore, it is not necessary to explain in confession the mortal quality of a contumely, contrary to what Fillius and others teach. See Azorín, Sahagún, Molinet, Lugo, d. 36, de poenitentia, n. 269. (See the aforementioned, lib. 5, n. 984.)

83. 6.° A curse, by which one wishes or imprecates evil upon another under the guise of evil, is, by its very nature, a mortal sin.

St. Thomas teaches in II-II, q. 76, art. 3, that a curse or imprecation against men, according to its kind, is a mortal sin, and all the more grave the more we are obligated to love and revere the person against whom the curse is directed. However, the word of a curse may be venial, either because of the smallness of the evil that one imprecates upon another, or even because of the intention of the one who utters it, when such words are uttered with a light intention, or out of jest, or by stealth; because sins of the tongue are most dependent on the intention.

[*Latin ed. p. 180*]

It is thought that from this doctrine of the Saintly Doctor, it is inferred that three things are required for a curse to be mortal: 1. that the evil spoken be truly desired; 2. that it be desired with perfect deliberation; 3. that the evil desired be grave. Thus, generally, all [curses]. V. Salm. de rest. c. 4. n. 28. Whether all curses are of the same species, see what is said in n. 50. 7. Quarrels, if they do not exceed the bounds, as also slight altercations, are venial; otherwise, if they proceed to seditions, wounds, and killings. These

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are commonly sins on the part of the one who begins the quarrel; for the other can defend himself with moderation, invoking the protection of God.

SEVENTH DOUBT. WHAT IS ACEDIA?

84. "RESPONSE. Acedia, or weariness of the soul, can be understood in two ways, according to D. Th. 2. 2. q. 35. art. 2. 1. Generally, for any remission of the soul in the exercise of virtues, because some labor is attached to it. 2. Particularly, for sadness and weariness concerning divine friendship, because it must be preserved through laborious exercises of virtue; and thus, that friendship is not cherished.

"From this, it is resolved: 1. Acedia, accepted in the first sense, is only a mortal sin when it is committed under a mortal sin.

[*Latin ed. p. 181*]

2. It is received mortally in the second way, because it is contrary to the charity of God. "From this, it can easily be judged that the following are also sins of *accidia*: 1. Malice, by which one hates spiritual goods and wishes that they did not exist, or by which one considers having done well or having accomplished something when one has not been obligated to do so, or by which one despises the benefits of God, for example, by desiring not to have been born, or by not acknowledging Christ, etc.; this is of its own nature mortal. 2. Cowardice and despair concerning salvation; which is also mortal. 3. Resentment, by which one is disgusted by those who encourage spiritual matters. 4. Lethargy, when one does not serve good things with due diligence. 5. Wandering of the mind, by which one, in the exercise of spiritual matters, wanders about illicit things, either through thought, and it is called curiosity, or through speech, and it is called verbosity, or through restlessness, and it is called restlessness: which are commonly venial. See *D. Th.* q. 35, Laym. lib. 2, t. 3, c. 6, Tol. l. 8. "However, a culpable wandering of the mind will be mortal when it is notable, and attention is required to fulfill a precept that obliges under a mortal penalty; for example, in reciting the canonical hours, in celebrating or hearing Mass. *Reg.*, *Pal.* de char. t. 6, dub. 1, part. 3, *Trull.* lib. 1.

[*Latin ed. p. 182*]

c. 6. Question 1. Against Tamborini, in his work *De Expedite Sacrificii*, book 2, chapter 3, where he teaches that a distraction, voluntarily and for a noticeable time, occurring during the offering of the Sacrifice outside of the Canon, is only a venial sin; although he concedes that, within the Canon, especially around the Consecration, it can be a mortal sin, due to grave irreverence and the danger of error. "I say: to fulfill the precept; for in prayer, either the precepts are not observed, or they are observed only under a merely venial obligation, and this is only a venial sin; St. Thomas,

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Navarrus, Suarez, Lessius, book 2, chapter 37, distinction 11. Indeed, there is no sin at all, if one intends to pray no less than to occupy oneself with the pious exercise of reciting the words of prayers; because he does not formally pray, but only materially: for example, when someone, while working with his hands, recites or sings psalms or other prayers, not with the intention of praying, but with thoughts of avoiding vain thoughts or of amusing himself. Sanchez, *Consilia*, part 2, book 7, chapter 2, distinction 13; Trullian Council, book 1, chapter 7, distinction 10. See above, book 4, chapter 2, question 2."

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BOOK SIXTH, ON THE SACRAMENTS. TREATISE FIRST, ON THE SACRAMENTS IN GENERAL. CHAPTER I. ON THE SACRAMENTS OF THE NEW LAW. FIRST DOUBT. WHAT IS A SACRAMENT?

1. How a sacrament is defined. And what is required for the essence of a sacrament.

2. A more common definition of a sacrament.

3. Whether the sacrifices, figures, and sacraments of the Old Law were true sacraments.

4. What should be noted concerning circumcision.

5. What other things are excluded from the definition of a sacrament.

6. More things to be noted concerning sacraments. And how sacraments are distinguished in four ways.

7. Whether sacraments cause grace physically or morally.

1. "Response: It is a sensible thing which, by a stable institution of Christ, has the power of sanctity, or of effecting justifying grace, and consequently of signifying." Therefore, it follows that: 1.° Three things are required for the essence of a sacrament:

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1. so that it be a stable sign; 2. so that it signify true sanctity; 3. so that it effect the same through the work performed, that is, through its use and application, by its own efficacy, and not through the work of the one performing the action, or through the act or disposition of the minister or recipient; which, although required for the effect of the sacrament, is not as a cause, but as a condition without which it cannot be.

2. The more common definition given by others of the sacrament is more pleasing to me: it is a sensible, sacred, and lasting sign of interior grace, instituted by Christ for our sanctification. And this definition is more in accordance with the Council of Trent, Session 13, chapter 3, where the sacrament is defined as: "Symbolum rei sacræ et invisibilis gratiæ visibilis forma." It is called a symbol or sign, because it essentially belongs to the sacrament to be a sign denoting to us the grace that sanctifies the soul. Sensi-

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ble, that is, evident to the senses. Sacred, that is, accompanied by a religious act. Lasting, as long as our faith endures. Of interior grace, because it is essential to every sacrament to signify grace. Instituted, because since the sacrament is an arbitrary sign, it could not effect or signify sanctification unless by divine institution. By Christ: 1. to distinguish it from sacramental things, such as blessed water, blessed bread, etc., which are not instituted by God, but by the Church, and are used for other purposes.

[*Latin ed. p. 185*]

1. The sacraments excite pious affections in the soul, by which God is moved to subsequently remit sins;

2. Because, although Habert says that the sacraments are instituted primarily by God, and not by Christ as a man, except as a moral and instrumental cause, since only God can impart the power of sanctification to the sacraments; nevertheless, Salm. de sacr. cap. 3, n. 15, and Viva eod. tit. qu. 1, art. 4, n. 1, and others, more appropriately say that Christ, even as a man, instituted the sacraments with an excellent power conferred upon Him, by reason of His union with the Word; and this opinion is also held by D. Th. 3, p. q. 72, art. 1, ad 1, where he says: "To institute a new sacrament belongs to the power of excellence, which belongs only to Christ." Finally, it is said: "for our sanctification"; this also belongs to the essence of the sacrament, as defined by the Council of Trent, session 7, canon 6, 3.

3. From this definition of a sacrament, the following are excluded:

1. Sacrifices, both of the new and the old law; because these are not instituted to confer grace by the work performed (although, nevertheless, the sacrifice of the new law obtains grace for the one for whom it is offered, not as a sacrament, in its proper use and application, but by way of interpretation), but to render worship to God; Council of Trent, session 22, decree 60, art. 22.

2. Figures and sacraments of the old law, e.g.

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circumcision, the passage through the Red Sea, the Paschal lamb, and also various purifications and consecrations of priests; furthermore, because they were not instituted by Christ, nor did they effect true holiness. And although circumcision sometimes removed original sin through true grace, it did so either through the work of the one performing the action in adults, or not through the action itself simply and strictly; furthermore, because it did not maintain grace, either as a physical cause or as a moral cause, since the Passion of Christ and its merit, from which grace depended, had not yet been revealed, but only through a special privilege; furthermore, because it did not confer grace formally through circumcision and its institution, but only insofar as it was a profession of faith, and not through the force of its application and use; otherwise, it would have

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conferred grace upon all who did not place an obstacle, and that too, beyond all merit, which is false. *V. Fill. tr. 1. et 5. q. 8. c. 8. » 4.* But let us inquire: 1st, whether circumcision was a true sacrament. Answer: Affirmative, according to the common opinion; because circumcision, in itself, operated external, or legal, holiness, and because the faithful were consecrated to the true worship of God. Thus, *D. Th. etc.* Inquiry 2nd: Whether circumcision, of itself, removes sin. Answer: Negatively, as Hab. says, that at that time, adult faithful were not cleansed from original or actual sin, unless it was...

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They possessed charity; and the little ones were cleansed from original sin through the act of faith, by ministratio or offering, as taught by St. Thomas [Aquinas], part 3, question 70, article 4. As He says, "To the extent that this faith concerned Christ who was to come." 5. Thirdly, neither are those sacraments which are called sacramentals, for example, the blessing of an abbot, the consecration of a virgin; because they do not, precisely through their use and the work performed, confer grace, just as neither do acts of virtues, except that these are perceptible. 4. The washing of the feet of the Apostles, the breathing of Christ upon the Apostles by which He gave them the Holy Spirit. Also, the words of Christ to Mary Magdalene and the paralytic: "Thy sins are forgiven"; because these were not established signs for the certain conferral of grace. 5. Martyrdom, for the same reason: although it may confer grace through the work performed, it is not specifically instituted for this purpose. See Scholion. 6. More things must be noted here. 1. It is certain that there are seven sacraments, and all were instituted by Christ, as defined by the Council of Trent, session 6, canon 1. And of these, some are called sacraments of the dead, such as baptism and penance, which cause the first grace, and therefore can also be received by a sinner; others are of the living, such as the Eucharist and the others. However, even the sacraments of the living sometimes confer the first grace.

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they can confer, namely, when someone, believing that he is not in a state of mortal sin, or thinking that he has been contrite, approaches the sacrament with attrition, as expressly taught by St. Thomas [Summa Theologica] 3. p. qu. 70. a. 3. de euch., where he says: "However, this sacrament can effect the remission of sin... even for one who is in mortal sin, of whose guilt and affection he is not aware. For perhaps he was not sufficiently contrite at first; but by approaching devoutly and reverently, he will obtain through this sacrament the grace of charity, which will perfect his contrition, and bring about the remission of sin." And the same is confirmed in q. 72. art. 7. ad 3., and in 4. dist. 23. q. 1. art. 2. And this is commonly taught by Doctors

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concerning the other sacraments, as Gonnerius [Manuale ad Sacramenta] t. 6. pag. 43., Council of Trent [Decrees] t. 8. pag. 52. n. 29., Roncaglia [Tractatus de Sacramento] 2. q. 3., and Salmeron [De Sacramentis] c. 5. n. 12., with Suarez, Pelargius, Bona, Becanus, Ricca, and others (against Vasquez, Lugo, Villalobos, etc.). The reason is that in the Tridentine Council, session 7, canon 6, it is said: "If anyone should say that the sacraments of the new law... do not confer grace, let him be anathema." Note the word "obicem" (obstacle); therefore, he who approaches the sacraments of the living with attrition, which excludes the affection of sin, whether actual or habitual, does not place an obstacle, and therefore receives grace, provided he has the will of penance. This is confirmed by the example of extreme unction, by which the sick, as he says...

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St. James, if he is in sins, they are remitted; that is to say (as St. Thomas teaches in *Summa Theologica*, 3rd part, question 30, article 1), strength is given against the defects remaining from past sins. But because (and then the Saint adds) this strength is given by grace, which does not tolerate sin, therefore, consequently, if he finds some sin, whether mortal or venial, it removes the fault itself, provided that he does not place an obstacle on his part as the recipient.

To be noted: 2ndly, some sacraments are said to be transient, while others imprint a character, such as baptism, confirmation, and holy orders; for a character is a spiritual sign by which one is distinguished from others.

To be noted: 3rdly, some sacraments are necessary for salvation by a necessity of means, at least implicitly, such as baptism and penance; while others are only necessary by a necessity of precept. Whether the sacrament of the Eucharist is necessary by a necessity of means, at least implicitly, see concerning the Eucharist below, number 192.

To be noted: 4thly, sacraments are said to be *perfected* when they produce their effect in the recipient; they are said to be *informal* when they are valid, but without their effect, namely, if someone receives baptism without sorrow for his actual sins: but when the obstacle to grace is removed, the sacrament immediately causes grace. This is certain concerning baptism, as St. Thomas teaches in *Summa Theologica*, 3rd part, question 68, article 10, and Scotus.

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e. 4. q. 5. n. 4. et 8. from St. Augustine, book 1, chapter 12, on baptism, where he teaches: "That which is given is efficacious when that deception has been removed by a true confession." Contra Tourn. e. 4. page 177; Salm. de sacr. c. 5. n. 53; and others, throughout, against Vasquez. The reason is that baptism is a necessary means for the removal of original sin; but when it cannot be received again, neither actually nor in intention,

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because an intention tends towards that which can be received, therefore it is necessary that, once the obstacle is removed, it be renewed. This is probably extended by Tourn. p. 177, conclusion 1; also by Palud., Silvest., apud Salm. n. 67, to the sacraments of confirmation and ordination, which cannot be repeated; and therefore, those receiving them would lack the sacramental grace, so necessary for the confirmed to profess their faith and for the ordained to properly exercise their duties. The same is probably extended by Tourn. to marriage and to extreme unction, according to St. Thomas and St. Bonaventure. And the same is said by Suarez, Villalobos, Lugo, and Con. de pænitentia; they deny this concerning the Eucharist, against Cajetan, Gonzalez, Peter of Alcantara, Sotus, etc., whose opinion Salm. calls probable, in the aforementioned place. Note: The sacraments, besides conferring sanctifying grace upon the soul, also confer sacramental grace, namely, helps for obtaining the end for which each sacrament was instituted, as St. Thomas teaches, 3a. p. q. 62. art. 2.

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6. It must be noted that the Sacraments operate *ex opere operato*, that is, through the very act performed, by the external efficacy elicited, namely, by the virtue of the conjunction of form and matter, and of the application of both to the recipient, according to God's institution. Therefore, the actions of the one performing the act, or of the recipient of the Sacrament, although they may cause an increase in grace if the person is already in the state of grace, do not, however, cause grace itself, which is conferred by the Sacrament; therefore, these actions are required only as dispositions for receiving the effect of the Sacrament. *Summa Theologica*, 3a, quaestio 69, articulus 8.

7. A great question is debated among Doctors, namely, whether the Sacraments cause grace instrumentally, physically, or morally. Tournhem, volume 4, page 215, conclusion 2, along with Vasquez and Lugo, hold that they cause it morally, that is, because they move God to physically cause grace. The reason is that grace, of itself, requires to be produced efficaciously only by God, so that there is no need to add a miracle here, namely, that the Sacraments themselves confer grace. However, Salmeron, in *De Sacraments*, chapter 2, number 21, along with Suarez, Valois, Pell, etc., hold that they cause it instrumentally and physically; thus, that the natural causes are elevated to a supernatural effect through the power of obedience, and they prove this from the words: "Unless a man be born again of water, etc." This seems more fitting for the Sacraments. Both opinions are sufficiently probable. Consult the Scholastics, if you seek more information on this question, since it is not within the scope of our

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present work.

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QUESTION SECOND. CONCERNING THE MATTER AND FORM OF THE SACRAMENTS TO BE OBSERVED.

8. In how many ways is a sacrament received?

9. What conjunction is required between the form and the matter?

10. Five resolutions.

11. What change invalidates the sacrament? Five resolutions from Bus.

12. Are the matter and form of all the sacraments specifically determined by Christ?

8. "ABOVE, the sacrament is taken in two ways.

1.º In the manner of a physical composite, in which the sensible thing and the action (e.g., in baptism, water and ablution; in unction, oil and anointing) are called the matter; and indeed, the oil and water are remote matter; but that action itself is proximate matter; and the words, or that which is put in their place, as in marriage, the sign of consent, are called the form.

2.º In the manner of an artificial composite; and then the matter and form, that is, the thing and the words, have the nature of matter; but their signification has the nature of form. Here, we inquire about the matter and form, in the former sense."

"ANSWER. 1.º For a sacrament to be valid, there must be such a conjunction between the matter and the form, e.g., between the pouring of water and the pronunciation of the words, that according to..."

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The moral estimation of men, considering the nature of each sacrament, affects one another, that is, so that words are considered to fall upon a certain thing, and with it, to constitute a single, total sign. *V. Bon. d. 1. q. 2. p. 2., Suar., Con. etc. » 9.*

Quæry: What simultaneity is required between the prolation of the form and the application of the matter?

Besides the Eucharist, which absolutely requires physical simultaneity, since the demonstrative pronouns "this" and "here" cannot be verified unless the matter is present, it is common that the form and matter do not begin or end simultaneously; it suffices that the form be pronounced while the matter is being applied, at least before the application ceases. Thus, *Salm. de bapt. c. 3. n. 41., Anacl. p. 529. n. 27. V. de sacr. q. 1. a. 5. n. 3., Ronc. c. 3. q. 2. r. 2.* And this seems not to be doubted, since in the Roman ritual for the administration of baptism, it is written thus: "And with it (that is, the water) under a threefold infusion... baptize... saying thus: I baptize you in the name of the Father*, pouring [it] first, and of the Son*, pouring [it]

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second, and of the Holy Spirit*, pouring [it] third." Therefore, since the water is not poured at the word "baptize," it is certainly not necessary that, from the beginning, the matter be adapted to the words of the form.

Quæry: But in other sacraments, besides the Eucharist, as we have said, is simultaneity sufficient?

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Morally, so that it is sufficient to begin the form immediately after the application of the matter. Cajetan denies this in *Opuscula*, volume 1, treatise 16, where, speaking of baptism, he requires that the words be begun before the ablution is completed, or conversely, and this seems to indicate the same thing according to Scotus, as cited by Suarez in *Summa Theologica*, part 3, disputation 2, section 2, head. However, Suarez commonly affirms this in the aforementioned work, and Lugaro responds to this in *Responsiones Morales*, book 1, doubt 33, calling it improbable; Holzmüller in volume 2, page 3, number 9; Tournhem in page 144; Laymann in book 5, treatise 2, chapter 7, number 5; Diana in page 3, treatise 4, rule 6; Antoine in *De Sacraments*, chapter 1, question 3; and Salmeron in *De Baptismo*, chapter 3, number 41, along with Soto, Toldeo, Sanchez, Hurtado, Dicena, Henrion, Villalobos, and Granado. The reason is that in a moral composite, such as a sacrament, moral simultaneity is sufficient. And it seems that this cannot be doubted; for, as we will soon say of baptism, the ablution does not take place while the word "baptize" is being actively pronounced, and the ablution is not perfected except through moral union: this union, however, will be as moral whether the ablution is performed immediately before the form is pronounced, or immediately after. However, this union must be different according to the diversity of the sacraments, as Suarez, Tournhem, and Antoine correctly state. Indeed, a greater union is certainly required in baptism, where a delay of even one "Our Father" would invalidate the sacrament, as they rightly say.

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Tourri and Diana, in the aforementioned work, rightly call the opinion of Fernandez deserving of censure. And the aforementioned authors state concerning Baptism, Confirmation, Extreme Unction, and Holy Orders. However, in the Sacrament of Penance, that union suffices which is required by the judicial act, since there is often some interval of time between the accusation and the sentence; although in this Sacrament, such an interval should not be so great as it is in a civil court. Croix, in volume 6, number 8, states, along with Tambini, that a penitent is validly absolved after one hour from confession. Finally, in marriage, that interval suffices which ordinarily suffices in contracts, where it is sufficient that the consent of one party is given, provided that the consent of the other party morally perseveres. These points concerning the Sacraments of Penance

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and Marriage seem to be accepted by all. Concerning the other Sacraments, the second opinion, considered in reason, seems morally certain; but in the first case, for greater safety, consultation is to be sought. Hence, Lugo rightly states in the aforementioned work, number 3, that a priest does not sin at all if he were to ordain himself again under the condition of greater peace of mind. Therefore, it is resolved: 10. "1. In Baptism, Confirmation, Extreme Unction, and Holy Orders, that union is required so that while the minister pronounces the words, he is morally considered also to be cleansing, etc."

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3.º In the sacrament of Penance, the absolution can, just as in judicial proceedings the sentence can be postponed after examination of the case. See what is said shortly, number 9. » 3.º In marriage, the consent of one party can follow that of the other, as long as the latter is considered to remain morally valid: just as in other contracts. See Council of Trent, Session XIII, chapter 6. » r. » Resp. 2.º For the sacrament to be valid, there must not be a substantial or essential change in the matter or form; a merely accidental change, even if often illicit, does not invalidate the sacrament. Furthermore, a substantial change in the matter is said to occur when, according to common usage and the estimation of people, it differs in name and in reality from that which Christ prescribed. An accidental change is said to occur when it retains the same use and name. An essential change in the form occurs when the same meaning does not remain; an accidental change occurs when it does remain. Layman, 4. 5. tract. 1. chap. 4. from the common doctors. » Therefore, it is resolved: 1.º There is no sacrament of the Eucharist if the matter is consecrated raw, whether this differs substantially in species from bread or not; because it is not commonly considered or said to be bread. Likewise, if artificial waters are used in baptism; because they do not have the common use and name of elemental water, even though they may not differ physically in species. See below concerning baptism. »

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2. The sacrament is valid, even if the water for baptism is warm, etc., or if the Eucharistic bread is black, leavened, etc.

3. A defect in the form renders the sacrament invalid if: 1.º Some letters are changed, altering the meaning, which easily happens in initial letters, for example, in the name of the mother, daughter, etc. 2.º There is a significant interruption of the words, so that they do not seem to cohere morally. 3.º The form is pronounced separately, for example, one says: "I baptize you"; the other: "in the name of the Father, etc.": because there will be two imperfect forms and a false meaning. *[Fill., l. 1, c. 4, q. 5. V. Bon., q. 2, p. 1.]* (Note here proposition 27, condemned by Alexander VIII. Baptism was sometimes administered under this form: "In the name of the Father, etc.,"

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omitting the words: "I baptize you.")

4. The form is valid, even if: 1.º Non-essential words are omitted, for example, "I" and "Amen" in baptism, or in the Eucharistic form; *[Bon., d. 4, q. 3, p. 1, n. 9 and 10, from Suarez, etc.]*. 2.º Something is added, for example, "In the name of the Father, who created you, etc." 3.º Synonyms are substituted, for example, "abluo" for "baptizo." (Thus, *Summa Theologica*, 3, p., q. 60, art. 8.) 4.º The words are merely transposed, as in: "This is my body"; "I baptize you." 5.º The words are corrupted due to haste and stammering: for example, "This is my body" or "This is my chalice." 6.º A small interruption occurs, for example: "I baptize you..."

[*Latin ed. p. 198*]

"Baptize," and [the exorcist] shall say: "This water is exceedingly cold," or: "Chaste [one], turn the *folium*." In the name of the Father, etc. Fill. L. c. V. Bon. L. c. (The same is taught by Lugo, *de sacr.*, n. 111, and by Roncaglia, c. 3, q. 4, r. 1, with the consent of [the theologians] Tamburrini. However, a cough occurring between the syllables of the words invalidates the form, unless it is momentary; Roncaglia, *ibid.*, with Tamburrini, and Leander, apud Croix, lib. 6, p. 1, n. 33. A prolonged cough (for example, lasting half a quadrant) certainly invalidates the form between the words. Croix, *ibid.*, with Tamburrini and Sporer. Concerning whether the matter and form of each sacrament undergo a substantial or accidental change, see below, where we will discuss these matters individually.)"

12. Question: Whether the matter and form of all the sacraments were determined by Christ the Lord in a specific manner. It is certain that Christ determined the matter and form of baptism and the Eucharist in a specific manner. Therefore, the doubt concerns the other sacraments. The first, probable opinion denies this, and this is held by Bellarmine, *t. 2, de sacr. ordin.*, c. 9, *in fine*; Salmeron, *de sacr.*, c. 4, n. 48; Lugo, *eodem tit.*, d. 2, ex n. 84; Holzbauer, *t. 2*, p. 3, n. 11; Croix, lib. 6, p. 2, n. 2135; also, St. Bonaventure, Alen, and Morinus, apud Juencke, *Inst. theol.*, t. 7, p. 41. The sole reason for this opinion is the difference between the Greek and Latin Churches in the administration of other sacraments, especially in the order [of sacraments]; for in the Greek Church, the presbyterate and

[*Latin ed. p. 199*]

The diaconate is conferred solely by the imposition of hands; in the Latin rite, however, in addition to the imposition of hands, the delivery of objects is required, as stated in the decree of Eugene IV to the Armenians, cited by Croix, book 6, page 2, number 2128. There it is written: "The *Sextum* [sacrament] is of the order, just as the material is that through which the order is conferred; just as the priesthood is transmitted through the offering of the chalice with wine and the paten with bread; the diaconate, however, through the delivery of the book of Gospels; and the subdiaconate, through

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the presentation of an empty chalice with an empty paten; and likewise, the minor orders through the assignment of objects pertaining to their respective ministries."

The second opinion, which is more probable, affirms that all the material elements, and, in substance, even the forms of the sacraments, were determined by Christ Himself. This is held by Juen, in the cited work, Council, volume 8, page 23, number 10, the Author of Petrocor, volume 3, page 21, Hab., Merb., Cont. Tourn., volume 4, page 147, and many others, along with *D. Th. 3. p. q. 60. a. 5*, who cannot deny that this is appropriate for this opinion, if it presents this reasoning: "Because the sanctification of man is in the power of the sanctifying God; it does not pertain to man to, by his own judgment, assume the things by which he is sanctified; but this must be determined by divine institution." And therefore, in the sacraments of the new law, by which men are sanctified (according to 1 Corinthians 6).

[*Latin ed. p. 200*]

You have been washed, you have been sanctified; therefore, it is necessary to use things determined by divine institution. The Saintly Doctor cannot explain the determination in genus which can be signified by diverse signs; for, for example, he expressly teaches the contrary, saying: "Although the same thing can be signified by diverse signs (which would be a determination in genus), to determine by which sign it must be used (which is a determination in species) belongs to the one signifying; but God is the one who signifies spiritual things to us." Regarding the difference between the Greek and Latin Churches, especially (as we have said) in the sacrament of Orders, it is answered that the tradition of instruments is not an essential matter, but only an accidental one, although integral. To the decree of Eugene, it is answered that it was published by a dissolved council. But this answer is of no value; for we have already sufficiently proven in book i, from number 75, that the decrees of the pontiffs are, by themselves, infallible. Therefore, it is more fitting to respond, as Merb., Conc., and Tourn. do, that Eugene did not determine the essential matter of Orders, but only wished to instruct the Armenians about the entire rite of the Roman Church, whose union they desired. Dices: Eugene does not speak of the rite, but expressly of the matter; and just as in other sacraments he assigns the essential matter, so in this of Orders, he says: "Sextum est."

[*Latin ed. p. 201*]

Concerning the order, its matter being that through whose tradition the order is conferred. Response: If this is true, it would follow that even the minor orders would be sacraments; but St. Augustine, in *De Ordine*, chapter 4, paragraph 42, along with Soto, Navarez, and Vasquez, state the opposite is probable, and we shall demonstrate this to be more probable in paragraph 737, since the minor orders are also conferred by abbots. It does not

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hold to say, as Vasquez, Majorano, and others state in *Palatii Tractatus*, book 2, chapter 27, paragraph 14, number 10, that in the same decree, the bishop is called the "ordinary minister of the sacrament of order": therefore (they argue), others besides bishops can, by privilege, be ministers of this sacrament. For the response is that, if this were the case, the presbyterate could sometimes be conferred by a non-bishop; but this is generally rejected, whatever Vasquez may say. Therefore, it must be said that when Eugene called the bishop the "ordinary minister," he certainly intended to speak of the matter in question, according to the Doctors and the constant tradition of the Church, as Tournhem states in *Praelectiones Theologicae*, volume 10, page 60, namely, that the power to confer the orders of presbyter and deacon pertains, by its very nature, to the bishop; while the other, lower orders, since they are not sacraments, can be entrusted to others. Hence, it is understood that when Eugene spoke of the sacrament of order, he did not assert everything dogmatically, but in many respects he adapted himself to [the circumstances].

[*Latin ed. p. 202*]

For the sake of common speech, those things which are employed in the seven orders, and which more expressly signify the distinction of each order, are commonly called the matter of the sacraments.

CHAPTER II. CONCERNING THE MINISTER OF THE SACRAMENTS.

FIRST DOUBT. WHAT IS REQUIRED THAT THE MINISTER VALIDLY CONFER THE SACRAMENT?

13. For the validity of the sacrament, the power and intention of the minister are required.

14. Whether attention is also required in the minister.

15. What kind of intention can there be.

16. It is not sufficient for the minister to have a habitual or interpretative intention.

17. An actual intention is not required.

18. A virtual intention suffices.

19. Whether a coerced intention, or one accompanied by an error concerning the person receiving, suffices.

20. Whether the internal intention of the minister is required for the validity of the sacraments. And, 1st, whether the mere intention of performing the external action suffices.

21. 2nd, whether the intention of doing that which the Church of Rome does is required.

22. 3rd, whether the intention of explicitly conferring the sacrament, or

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of producing the effect of the sacrament, is required; and whether the intention of celebrating the external rite as sacred suffices.

[*Latin ed. p. 203*]

23. Whether a minister ought to have the intention of performing the sacred rite which the Church intends.

24. If a minister has two contrary intentions, which ought to prevail.

25. V. resolutions Bus.

26. Whether a sacrament conferred under a condition is valid.

27. Whether it is licit to confer sacraments which imprint a character under a condition.

28. Whether this applies also to other sacraments.

29. Whether, in extreme necessity, the nearest minister can and ought to administer a sacrament when the matter is doubtful.

13. "RESPONSE. In the minister, the value of the sacrament does not depend on faith or probity, but, besides power (and jurisdiction in certain cases), an intention or will, at least virtual and absolute, or equivalent to this, is required, to perform not only the external act, but the sacrament itself, or at least that which the Church intends, or which Christ instituted. This is the common opinion, as stated in the Council of Trent, Session 7, Canon 12. The reason for the first part is that sacraments are efficacious, not by the disposition of the minister, but by divine power, according to the institution and merit of Christ. The reason for the second part is that the perfection of a sacrament requires such an intention that it determines the action to be sacramental, and removes indifference from the words and actions; but such an intention is not merely the intention of the external action, which can be directed to other ends, for example, to a game, *ludum*."

[*Latin ed. p. 204*]

14. Question 1. Whether, in the minister of the sacraments, besides intention, attention is also required, so that he may validly confer them. Croix affirms this in book 6, page 1, paragraph 34. Otherwise, as he says, the conferral of the sacrament would not be a human act performed in a human manner. From this opinion, if it were probable, it would certainly follow that a minister who voluntarily distracts himself does not validly confer the sacrament, but this does not seem to be able to hold true: and therefore, Croix himself, in paragraph 85, admits that it is scarcely possible for the sacrament to be invalidated by distraction; because, unless the distraction is total, there always remains a virtual attention. Therefore, this opinion seems to me to be very unlikely, and I do not find it transmitted by any other author; for all say that, besides the matter and form, nothing else is required for the validity of the sacrament than the intention of the minister, as will be explained below in paragraph 23, as the councils have defined. It is not

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correct to say that this is not a human action that is performed without attention: for although, in order for a man to act in a human manner, it is required that he attend to the end of the work which he intends to do, it is not required that he actually attend to it while he is performing it. But if this actual attention were necessarily required, then, consequently, virtual attention would not suffice (as Croix incorrectly supposes). For, as stated in book 4, paragraph 177, under "Reason," this virtual attention is not given, nor can it be understood, because...

[*Latin ed. p. 205*]

Since attention is an act of the intellect contemplating that which a man does, it necessarily implies that the intellect is actually aware; therefore, just as it cannot be said that the intellect virtually considers that which it does not consider, so it cannot be said that a man virtually pays attention when he does not actually pay attention, but is instead distracted. Hence, the most learned Suarez teaches excellently in the third part of his *Disputations*, section 12, paragraph 3, sentence 1: "I say that even if the minister is distracted, he truly confects the sacrament, because, as he says, his action is simply human and free, and proceeds from a prior intention." However, whether the minister who voluntarily distracts himself during the confecting of the sacrament commits a grave sin, all say that he at least commits a venial sin; and Cont. Tourn. volume 4, page 134, sentence "Ex his dubitat," doubts whether he also commits a mortal sin; but Croix, cited in number 85, with Gobius and the common opinion, probably denies this, unless there is a danger of error, especially in longer formulas. However, in the confecting of the Eucharist, a voluntary distraction is probably considered to be a mortal sin, as Conc. volume 8, page 513, number 13, and Tamb. de sacrif. miss. book 2, chapter 13, number 8, say (contrary to Croix, book 2, page 2, number 443, and Mazz., volume 3, page 212, who holds that it is probably only a venial sin). The reason is that distraction in such a sacrament seems to lack grave irreverence.

15. Question 2: In how many ways can [something] be...?

[*Latin ed. p. 206*]

Intention. Intention can be either actual, habitual, interpretative, or virtual. Actual intention is present when someone actually intends to perform the sacrament. Habitual intention is present when someone previously had actual intention, and has not revoked it, but no longer thinks about it, nor does it remain in any effect. Interpretative intention is present when someone has no actual intention, nor has ever had it, but is so disposed that, if he were to realize it, he would have it. Virtual intention, finally, is present when someone, although he does not actually intend to perform the sacrament here and now, nevertheless acts by the power of a previously held actual intention; as if someone who has the intention of celebrating the

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Holy Eucharist were to enter the church, say Mass, and consecrate.

16. With these distinctions established, it must be said that: 1st, to validly perform and confer sacraments, it is not sufficient for the minister to have habitual or interpretative intention. This is commonly taught by Suarez in part 3, question 13, section 3; Cont. Tourn. volume 4, page 119, conclusion 1; Council of Trent, session 22, chapter 5, canon 9; Holzmüller, volume 2, page 5, number 22; Viva de sacr., question 1, article 4, number 6; Croix, handbook 6, page 1, numbers 56 and 57; Salm, treatise 1, chapter 7, number 42, and many others. The reason is that such intentions do not make the action elicit, in a human way, as is required of the minister from whom the sacraments proceed as an operative cause.

[*Latin ed. p. 207*]

17. Secondly, it must be stated that an actual intention is not required in the minister. This, too, is certain among all, as seen in *Summa Theologica*, 3rd part, question 64, article 8, ad 3. The reason given by the Saintly Doctor is: "Because this [namely, actual attention] is not entirely within the power of a man, because, besides the intention, when he wishes to concentrate intensely, he begins to think of other things."

18. Thirdly, it suffices that the minister have a virtual intention; because, through this, he truly acts in a human way, since such an intention is the true cause of the action. And this, too, is commonly and certainly held, as seen in Suarez, *loc. cit.*, Tournhem, volume 4, page 133, conclusion 2; Council of Trent, session 25, chapter 5, canon 1; Lugo de sacramento, book 8, number 74; Wigand, *Tractatus de Sacramento Eucharistiae*, 11, example 4, number 32, reply 2; Holzmüller, volume 2, page 6, number 22; Salmeron, *locus citatus*; Roncaglia, chapter 5, question 3, and others from *Doctor Thomae*, *locus citatus*, where he teaches thus: "Although he who thinks of other things does not have an actual intention, he nevertheless has a habitual intention, which suffices for the perfection of the sacrament." For the habitual intention, the Saintly Doctor undoubtedly understands a virtual intention; for immediately afterward, he adds: "For example, when a priest approaches to baptize, he intends to perform, concerning the baptism, what the Church does; therefore, if afterward, during the very act, his thoughts are drawn to other things, the sacrament is perfected by virtue of [note] the first intention." From this, Viva correctly states in article 4, number 6, and Croix in book 6, page 1, number 59.

[*Latin ed. p. 208*]

When Abel, Gammach, and Mauro state that the minister who performs the actions required for the sacrament, unless he positively excludes due intention, imprudently doubts it; because at least he intends to do what he usually does, and what other ministers do. Furthermore, because he knows that the action is sacramental and is not performed in vain, he intends to

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perform it according to its purpose, as Viva and Croix, in the cited passage, state. Therefore, as Bellarmine, Henry, Croix, and Viva state in the same place, it is not necessary for the minister to explicitly say, either with his mouth or in his heart, that he intends to administer the sacrament, but it suffices that he is present in his mind and performs what he is doing attentively.

19. It is also sufficient for the minister to have a coerced or extorted intention, except in the case of marriage, as Croix rightly states in number 60, and Lugo in book 9, number 131. Because fear does not remove the voluntary act; and Lugo, in the Council of Toledo, IV, chapter 56, makes this definition. Thus, likewise, the minister's error concerning the person receiving the sacrament does not invalidate the sacrament, except in the case of marriage, namely, if the minister, believing he is absolving Peter, absolves Paul, as Suarès, in book 13, section 3, at the end, and Lugo, in book 8, number 114, commonly teach; provided, however, that the minister does not direct his intention towards another specific person; which ordinarily does not happen, except in the case of marriage.

[*Latin ed. p. 209*]

20. Question 3. Whether internal intention is required for the validity of the sacraments. It must be said that it is not sufficient to have only the intention of performing the external action, but rather the intention of doing that which the Church does is required. This is a matter of faith against Luther, who maintained that it is sufficient to have only the intention of performing the external rite, even if done in jest; thus, from the Council of Trent, Session 7, Canon 11: "If anyone should say that, when ministers administer and confer the sacraments, it is not required that they have the intention, at least, of doing that which the Church does, let him be anathema." Also, in Session 14, Canon 9: "If anyone should say that the sacramental absolution of a priest is not a judicial act, but a mere ministry of pronouncing and declaring that the sins of the penitent have been remitted, so that he believes only that he has been absolved; or that the priest absolves not seriously, but in jest; or that it is not required that the penitent confess in order that the priest may absolve him, let him be anathema." The same is stated in the decree of faith of the Florentine Council, under Eugene IV, Volume 19, Council page 555, where it is said: "All the sacraments are perfected in three things, namely, in things, as the matter; in words, as the form; and in the person of the minister who confers the sacraments, with the intention of doing that which the Church does." The same was declared in the Council of Constance, final session, where it was prescribed: "That a suspected heretic should be questioned whether he believes..."

[*Latin ed. p. 210*]

For a wicked priest, even if he possesses the proper matter and form, and

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with the intention of performing what the Church does, truly confects and confers the sacraments. The reason for this doctrine is that the action of the minister must pertain to the ministry; but an action performed in jest does not pertain to the sacred ministry, but only to mockery. Luther said that a joking action is sufficient, because it is still enough to excite faith. But this principle is clearly false; for faith cannot be excited in children, and yet they are already capable of baptism.

21. It must be said that it is not necessary to have the intention of doing what the Church of Rome does, but it is sufficient to have the intention of doing what the true Church, instituted by Christ, does. This too is certainly true, because those baptized by heretics, who do not believe that the Church of Rome is the true Church, are by no means to be rebaptized. However, Silv. rightly observes (in 3. p. q. 64, art. 8): "If someone does not wish to do what the Church of Rome does, even if it were the true Church of Christ, the sacrament does not take place; because truly, he does not have the intention of doing what Christ instituted."

22. It must be said that it is not necessary for the validity of the sacrament to have an explicit intention of confecting the sacrament or of producing the effect of the sacrament, but it is sufficient to have the intention of performing the rite, which the Church holds to be...

[*Latin ed. p. 211*]

The reason is that, as stated above, the intention of doing what the Church does is sufficient. Thus, Suarez, in 3rd part, disputation 6, section 8, article 8; Tournhem, in theological lectures, volume 6, page 145, and his *Controversae*, volume 4, page 86; the Council of Trent, volume 8, page 84, from number 1; Viva, in proposition 3, condemned by Alexander VIII, number 1, and others, all from *Summa Theologica*, 4th part, distinction 6, question 1, article 3, question 2, ad 1, where he teaches that baptism is validly conferred, even if the one who does not believe that baptism is a sacrament or has any special power, does not intend, when he baptizes, to confer the sacrament, but intends to do what the Church does, even if he considers it to be nothing. And because the Church does something, it necessarily and implicitly intends to do something, even if not explicitly. Furthermore, as rightly noted by Tournhem, *Controversae*, page 86, and Roncaglia, chapter 4, question 3, with Bonaventure, etc., if anyone were ever to believe that the sacrament is not conferred unless there is an explicit intention to confer the sacrament, and if that person did not have such an intention, no sacrament would be conferred; because then, he would not intend to do what the Church does. It must also be noted that, even if the sacrament is valid, even if the minister has an explicit intention of conferring the sacrament or its effect (provided, as we have said, that he intends to do what the Church does; because then he implicitly has the

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intention of conferring the sacrament, as...

[*Latin ed. p. 212*]

We have seen above (from *D. Th.*), that if the intention is positively contrary, namely, not to confer the sacrament, then the sacrament is not conferred; because, truly, in that case, the minister does not have either an explicit or an implicit intention of doing that which the Church does, as *D. Th.* 3, p. q. 64, art. 10 teaches, where it says: "The intention of the minister can be perverted in two ways: in one way, with respect to the sacrament itself, for example, when someone does not intend to confer the sacrament, but derisively denies something; and such a perversion takes away the truth of the sacrament, especially when he manifests his intention externally." Note the word "especially"; therefore, if he acts derisively only internally, and does not even confer the sacrament. And the same Doctor confirms this in the same article, 10, ad 2: "A playful (not a playful action) or joking intention excludes the first rectitude of intention, through which the sacrament is perfected." Furthermore, an explicit intention of celebrating the external rite is not required, in order that it be formally and absolutely holy. This is clear; for otherwise, a baptism conferred by pagans, who are ignorant of or scoff at the sacraments, would be null. But Nicholas I, when consulted by the Bulgarians about the validity of a baptism conferred by a Jew or a pagan, responded that it is valid, if it has been conferred with true matter and form: for such a baptism is valid because of a general intention.

[*Latin ed. p. 213*]

Concerning what a Jew or a pagan might be made to do by the Church of Christ; thus, in chapter A, canon 4, concerning consecration, number 23. Here, that great question arises, which, as is said, was formerly raised by Ambrose of Catharina, and which is very much debated in our times, namely, whether for the validity of the sacrament it is required that the minister have the intention of performing the sacred rite which the Church intends. The first opinion denies this. It distinguishes between two intentions: one, to perform only the external act which the Church performs, and it says that this is necessary; the other, to perform the external act, not simply, but as a sacred or sacramental act, which Christ instituted, and which the Church intends, and it maintains that this intention is not required. This opinion has many distinguished proponents, especially Juenck, Contenson, Serry, Genet, and Milante; and it seems also to have been expressed, albeit obscurely, by Salmer in book 1, chapter D. Pauli epist., page 3, paragraph 2, where he said: "It must be noted that there are two intentions of the minister administering the sacrament: one is public and that of the Church itself, whose ministry is being performed. This intention is expressed in the very words of the sacraments; for the Church intends, through such

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words, to baptize, to confirm, etc. This intention is inseparable from the very words, if they are pronounced integrally, as they ought to be."

[*Latin ed. p. 214*]

Bellarmine, in his *Disputationes de Sacramento*, book 1, chapter 27, and Lugo, in his *Tractatus de Sacramento*, book 3, chapter 8, section 2, cite the aforementioned Ambrose as the author. However, Tournhem, in his *Theologiae Moralis Praelectiones*, volume 6, page 138, and the Council, in volume 8, page 65, number 8, seek to defend Catherine, stating that he only intended to say that the intention is not required which refers to the effect of the sacrament, or the external rite, as celebrated by the Church. But whatever may be the case regarding this matter, the reasoning behind this opinion is that, according to the Council of Trent, it is not required of the minister that he have the intention of doing what the Church intends, but only that he do what the Church does; and therefore, it suffices that the minister seriously apply the proper form to the matter, as the Church does. The second opinion, which is the common and one to be followed, affirms that the intention of the minister to perform the sacramental rite which the Church intends is indeed required. Bellarmine holds this view, as he states in the aforementioned passage, that the opposite opinion does not differ from the error of the innovators; Lugo states in the aforementioned passage that it has been rightly rejected by all, and that it does not greatly differ from the error of the heretics; Vasquez, in his *Disputationes*, 158, calls the contrary opinion condemned; also Tournhem, in the aforementioned passage, volume 6, page 139, and in his *Controversae*, volume 4, page 88, conclusion 5; Petrocchi, volume 5, chapter 4, question 2; the Council, volume 8, page 67, section 3; Croix, volume 6, page 1, number 54; Viva, in his *De Sacramento*, question 1, article 4, number 6; Antoine, page 459, number 2; and Salm, all hold this view.

[*Latin ed. p. 215*]

sod. i.c. 7, n. 26, with Suarez, Bona, and others. And from this, the opinion is also defended by the Most Holy Pope Benedict XIV in his golden book on the synod, book 7, chapter 4, n. 9. It is proven: 1st, from the Council of Trent, in the decree concerning the sacraments, canon 11, session 7, where it is required that there be an intention of doing that which the Church does. Therefore, it is not sufficient to have the intention only of seriously applying the external form of the sacrament, as the Church does; for this intention itself, when the external action is performed, is inseparable from the action, as Salmeron said, as mentioned above, but moreover, an intention is required of performing the sacramental rite which the Church performs; otherwise, both the Council of Trent and the Council of Constance, beyond the matter and form, would have vainly required the intention of the minister to do that which the Church does. It is proven 2nd, and more strongly,

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from proposition 3rd, condemned by Alexander VIII, which stated: "The baptism conferred by a minister who observes all the external rites, and the form of baptism, is valid, even if, within his own heart, he resolves: I do not intend to do that which the Church does." Note the words "within his own heart"; therefore, the Pope condemned the opinion that did not require an internal intention not to do that which the Church does. The adversaries, and especially Father Milante, reply that the aforementioned proposition was condemned because it included all the rites, whether performed seriously or jokingly. But, 1st, there is no word in the proposition concerning the administration [of the sacrament].

[*Latin ed. p. 216*]

Jocularity. Response: 2ndly, this condemnation would indeed have been superfluous, if only the jocular administration had been disapproved of: for this was proscribed by the Council of Trent, and at the time of this condemnation, there was no one who was renewing the error of Luther; for, as Van Roy, volume 4, Aurelius Piette, volume 5, and Henno, volume 1, *disp.* 4, question 2, article 2, report, the thesis that was proscribed was taken from the theses of Fervacquesius, who vehemently defended the opinion of external intention, excluding jocular administration. Therefore, it must be said, with the Most Holy Pope Benedict XIV, in the calendar of books concerning synods, number 8, that at least a serious wound was inflicted upon the opinion of Catharinus by the aforementioned condemnation. 3rdly, it is proven by the reason by which it is demonstrated that an internal intention of the minister is necessary to confer the sacrament. For, as is stated in *D. Th.* 3, part 1, question 64, article 8, that which is performed in the sacraments can be referred to several things, as the ablution in baptism can be referred to both corporal and spiritual cleanliness: therefore, it is necessary that, through the intention of the one cleansing, it be referred to and determined to one thing, that is, to the sacramental effect, or to the spiritual ablution. Here, we do not wish to digress into discussing several texts of *D. Th.* in which he spoke obscurely, for the resolution of which we refer to the Councils and Controversies of Tournai, volumes 2 and 3. But the Holy Doctor, in his work 8, clearly taught, beyond the rite,

[*Latin ed. p. 217*]

Furthermore, an internal intention is absolutely required, as is stated: "It is required in every sacrament that the person administering the sacrament have the intention of administering it and of doing what the Church does, and of these three things, if any one is lacking, the sacrament is not perfected; that is, if the proper form of words is not used, and if the minister does not intend to administer the sacrament, the sacrament is not perfected." And this is most strongly confirmed by the authority of the Most Holy Pope Benedict XIV in his Instruction to the vicars general, issued

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in Rome on February 28, 1747 (inserted in his collection of bulls, no. 28, vol. 2, p. 186); there, no. 48, he condemns the opinion of Cardinal Cajetan and Soto, who wished to consider a neutral will, that is, one that does not consent nor dissent, to be sufficient in the one receiving baptism; and he declares, according to the mind of Innocent III in the decree *Majores*, concerning baptism, that the sacrament of baptism takes effect when someone either actively expresses or has already expressed the will; and if he neither consents nor dissents, although externally composed, he cannot be baptized, unless he has never before had the will to receive baptism. Having established this, namely, that in the subject, the intention of receiving the sacrament is necessarily required, then the Pope proceeds to the intention required in the minister, and mentioning the opinion of Catharinus, he says: "This opinion (namely, that of Catharinus) is..."

[*Latin ed. p. 218*]

It presents a difficulty, because it does not concern the denial of the sacrament itself, but rather the one receiving baptism. Therefore, all the more so in the one administering, whether external actions and internal intention are required. Finally, although the opposing opinion may seem probable, no one doubts (as states Pope Benedict XIV in the cited book on the general councils, no.) that it cannot be put into practice, as condemned by Innocent XI in proposition 1, where it was declared that it is illicit to follow a probable opinion when a safer one is available. Hence, the aforementioned Pope rightly teaches that if it is established that someone administered baptism or another sacrament validly, using all the prescribed external rites, but with a retained intention or with a deliberate will not to do what the Church does, in a case of urgent necessity, the sacrament must be administered again, under the condition of being perfected. However, if the matter admits of delay, the oracle of the Apostolic See should be consulted.

24. Question 3rd: If the minister has two contrary intentions, which should prevail?

Answer 1st: If the wills are simultaneous, the dominant one prevails; namely, the one that would be chosen, knowing the impossibility.

Answer 2nd: If, among contrary wills, one follows the other, the latter is valid, unless the former revokes (at least virtually) all subsequent will; then, indeed, the former will prevails, provided it is not expressly revoked.

[*Latin ed. p. 219*]

However, if doubt still remains, the validity of the sacrament will be doubtful; for, in order that the validity of the sacrament may be considered certain, a morally certain presumption is required (and suffices), excluding all opposing fear. Thus, Viva, q. 1, art. 4, n. 9; Lugo, *de sacr.*, d. 8, n. 124; and Croix, lib. 6, p. 11, n. 69, with Bosco, Pallav., Dicast., etc. If, however,

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someone contracts marriage, intending it to be dissoluble, with such a mind that, if he knew it to be indissoluble, he would not contract it; then there would be no marriage, as rightly teach Lugo, *l.c.*, n. 128; Sanch., *de matr.*, lib. 2, d. 13; Croix, *l.c.*, n. 72, with Perez, Conc., etc. And the same is said by Bellarmine, Vasquez, and Dicast, with others, apud Croix, concerning one who contracts marriage in this way. The reason is because marriage, by its very nature, is indissoluble; therefore, he who contracts marriage in this way would impose a condition contrary to the essence of marriage, and therefore invalidating it, according to the end of the chapter on imposed conditions. However, he will validly contract, as Lugo says, from n. 132, with Suar., if someone, through error, believed marriage to be dissoluble, because a private error does not take away from him the general intention of contracting in the manner in which he ought.

25. "I said, firstly, concerning the *salutary* aspect: then, because an interpretative or habitual state is not sufficient (as can also be the case in a drunk or sleeping person); since the act proceeding from him is not human.

[*Latin ed. p. 220*]

And [the act] is either deliberated or free in itself: firstly, because the actual [act], that is, the act in which one actually intends and wills to do something, although it may be better and more desirable, is not required; for since it is not within our power, and a man is easily distracted, it would have been too harsh and full of scruples if Christ had required this. However, the virtual [act] is said to be that which, after the actual [act] has been omitted, remains in some action, by virtue of the intention that was begun and continued: as if, from the intention of being baptized or of celebrating Mass, you go to the church, put on sacred vestments, approach the altar or the baptistery, even though in the meantime you think of other things. The reason is, because this is sufficient to make the action human and moral. Layman, book 5, volume 1, chapter 5. "Therefore, it is resolved: 1st, that if a priest, perhaps having before him bread, recites the words 'This is My Body' and the words of Christ, he does not, for that reason, consecrate [the bread]." 2nd, "An impotent man, a drunkard, or a somnambulist does not confect the sacrament, even if he intended to do so before his state of intoxication or sleep; because he does not act in a human way." Layman, ibid. (Thus, commonly Suarez, Vasquez, and others, as cited by Croix, book 6, page 1, note 55, against Cabrera.) 3rd, "St. Athanasius truly baptized in a childish game; because he intended to do what he had seen done in the temple by the bishop." 4th, "A heretic validly baptizes and contracts marriage, even if he does not believe that it is so."

[*Latin ed. p. 221*]

The sacrament, he laughs at and despises; indeed, even if he does not wish to do what the Church of Rome does; but believing that what he does

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is not Roman, but his own, and therefore true; even though through this, he does not wish to receive grace. The reason is that the general intention, by which he wishes what Christ instituted, prevails over the intention arising from a private error. *Moralium Doctrina*, Book 3, Paragraph 1, Number 9; Suarez, Fulleti, etc.

5. He ought not to receive the sacrament again under the condition of consecration, if he was distracted during it (see what was said above, number 14), or if he brought smaller hosts to the altar, about which, while consecrating a larger one, he did not explicitly think or intend.

6. I said "absolutely"; because a conditional one suspends the effect, which, except in marriage, cannot be done.

Therefore, it is resolved:

1. The sacrament conferred under a past or present necessary or contingent condition is valid, if the condition is truly fulfilled: for example, "I absolve you, if you wish to dismiss your concubine, if you are capable of doing so"; "I baptize you, if you are not baptized." *Moralium Doctrina*, Book 3, Paragraph 1, Number 18.

2. No sacrament is given under a future condition, whether it is contingent, such as "I absolve you, if you return," or "if you dismiss your concubine," etc.; or whether it is necessary or added to the mind to suspend the sacrament, such as "I absolve you, if the sun rises tomorrow." *Moralium Doctrina*, ibid.; Suarez, *Conscientia*, etc., against *Diatriba* and *Espino*.

[*Latin ed. p. 222*]

3. A doubt arises concerning a sacrament conferred under a hidden condition, which is unknown in a human manner; for example: "I baptize you, if you are predestined, if God sees that you will die this year."

4. He sins gravely who administers a sacrament (except for marriage) under a condition, not only a future one, which is always mortal (as Psalm 7, verse 59, with censure), but also a present or past one; whether the condition is entirely hidden, which is also mortal; or whether it is knowable by human means, which nevertheless is invalid if it is done without a reasonable cause, rarely venial, and often mortal if without any cause whatsoever. See Bonaventure, *locus citatus*, Suarez, Council of Trent, etc., Scholastic commentaries.

26. Question 1: Whether a sacrament conferred under a condition is valid. If the condition is of the past or present, without doubt, if the condition is verified, the sacrament is valid. Thus, generally, Suarez, *in 3. p. d. 13, sect. 3*, see Dico 3, Layman, *l. 5, tr. 1, c. 5, n. 13*, Contio Tournheimensis, *t. 4, page 135, conclusion 1*, Palearius, *de sacramentis, d. un., p. 5, n. 7*, with censure, Bonaventure, etc. But if the condition is of the future, then no sacrament is conferred, as Tournheim states, *locus citatus*, with Busenius

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and others, as stated above. The reason is that, for a sacrament to be validly conferred, the form must be applied to the matter.

[*Latin ed. p. 223*]

Present; otherwise, the effect of the sacrament would be lacking when the form and matter are already absent. But whether a confessor validly absolves by saying: "I absolve you, if God knows that you will make restitution," is affirmed by Viva de sacr. q. 1. art. 4. n. 7, and by Henr., Arr. et Bernal, apud Croix, lib. 6. p. 1. n. 81, who consider this to be very probable; because, as they say, in that case, the condition of present restitution is already opposed, since all future things are known to God. But this opinion is more rightly contradicted by Tourn. l. c. v. Sed quid, Conc. tom. 8. pag. 87. n. 9; also by Con., Av. et Dicast. apud Croix, l. c. Ratio, because, since God has entrusted the administration of the sacraments to the knowledge and will of men, a condition cannot be imposed which cannot fall under human consideration.

27. Question 2. Whether it is licit to confer a sacrament under a condition. Regarding the sacraments which imprint a character, it is certainly licit among all; and this is evident from chapter 2 on baptism, where it is said: "Concerning those about whom there is doubt whether they have been baptized, who are baptized with these words preceding: If you are baptized, I do not baptize you; but if you are not yet baptized, I baptize you." And although Juen. de sacr. d. 1. q. 3. c. 5. art. 1, and Tourn. in prael. theol. 4. 6. q. 1. art. 4, assert that before the eighth century, there is no mention in the fathers and councils of the aforementioned conditional formula, nevertheless, the Holy Pontiff teaches.

[*Latin ed. p. 224*]

Benedict XIV, in his most learned book on the Council, book 7, chapter 6, paragraph 1, does not correctly infer that the "Natale Alexandrino" was not in use when applying the condition for the sacraments; for he asserts that, from the constant practice of the Church, the opposite is sufficiently proven. He states that only in the 8th century did that condition, which had previously been held in the mind, begin to be expressed.

Furthermore, the Doctors commonly state that other sacraments can also be conferred and repeated, if there is a just cause. Thus, Suarez, d. 13, section 3, conclusion 3; Palearius, d. p. 5, n. 7; Roncaglia, de sacr., chapter 4, question 6, response 3; Habert, t. 5, chapter 2, question 2, page 72, response 2; Salmeron, de sacr., chapter 7, n. 56; and Bonaventure, ibid., title d. 1, question 3, page 2, § 3, n. 20, with Suarez, and others, commonly state this; and Tournhem, t. 4, page 138, agrees. In contrast, Juen, instit. theol., t. 7, page 35, and Antoine, de sacr., chapter 2, question 3, note, state that it is only in the sacrament of baptism that this is permissible when there is a prudent doubt about its validity (see the statements on baptism, n.

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156); and in other sacraments, they believe it is not permissible, except in necessity. But we adhere to the first opinion, since the condition, with a just cause added, repairs all irreverence of the sacrament. We have said that a just (or reasonable) cause is added, as Suarez, Palearius, Bonaventure, and Salmeron, among others, state; also, Croix, lib. 6, p. 1, n. 129; Elbing, t. 3, page 15, n. 51; and Speroni, t. 3, page 14.

[*Latin ed. p. 225*]

n. 96. and p. 19, n. 129. For it is common with the aforementioned Fathers (contrary to some) that to administer the sacraments when there is neither a cause of necessity nor a grave utility is a mortal sin; for it is illicit to confer the sacrament without such a cause, with a doubtful effect. It is permissible, as Suar., Ronc., Bon., Salm., and others commonly say, for a prudent confessor who doubts whether he should absolve the penitent, to absolve under a condition. And the same is said by Tourn. in the cited place, and by Mazz. vol. 3, p. 568, when a child, concerning whom there is doubt as to whether he is of the age of reason, is to be absolved. But if someone, judging the penitent to be disposed, were to absolve under a condition, saying: "I absolve you, if you are disposed," Tourn. vol. 4, p. 137, and Salm. d. cap. 7, n. 56, rightly say that he would not sin mortally, but would not be excused from venial sin, since this would be contrary to the custom of the Church. Croix also says, l. 6, p. 1, n. 129, concerning one who, without a reasonable cause, would repeat a word or syllable of the formula. 29. It is certain that in cases where there is extreme necessity of a neighbor and there is no material available except that which is doubtful, then the minister not only may, but is obligated under a grave duty, to administer the sacrament to him under a condition, as Lugo teaches in *de sacr.* d. 8, n. 140, with Suar., Vasq., Con., Caj., Silv., and the commentary in Viva in *trut.*, appendix, § 11, near the end. (V. LIG. Theol. Mor. T. VIII.)

[*Latin ed. p. 226*]

(See also Matter, and on penance, no. 480.) However, Lugat, in *Responsiones morales*, book 2, no. 10, observes that if, subsequently, the matter and the place are certain, the sacrament must be repeated under the condition that, perhaps, the first one was invalid; and Croix, no. 123, says the same, with Tamburrini, Gobius, etc. Understand this concerning sacraments that are not repeatable, such as baptism, confirmation, and orders. It should also be noted that if a sacrament is to be administered under a condition, it is not at all necessary that the condition be expressed orally, but it suffices that it be conceived in the mind. Thus, Tournhem, volume 4, page 39, conclusion 3; Roncaglia, chapter 4, question 5, with Palafox, Gobius, etc., apud Croix, no. 83, where Moya asserts this commonly, and Escobedo considers it certain. However, when baptism is publicly administered with doubt, Tournhem reasonably says that the condition should be expressed,

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lest those present believe that baptism is absolutely repeated, which is contrary to Church law. As for whether one would sin mortally by baptizing or absolving several people simultaneously under one form, Scotus, Gabrione, and Concordus affirm this, apud Croix, no. 44. But Croix denies this, citing Valois, Henricus, Regius, and Dicena, because this change does not seem significant; however, all agree that one would not be excused from at least a venial sin. See also on the minister of baptism.

[*Latin ed. p. 227*]

QUESTION SECOND: WHAT IS REQUIRED OF A MINISTER IN ORDER THAT HE MAY LICITLY MINISTER.

30. See what is said on this matter in Bus. 31. 1.

31. 1. Concerning the state of grace required in ministers of the sacraments who are ordained to those ends.

32. Question 1. Concerning other ministers who are not ordained to those ends. Does a priest who baptizes, but not solemnly, commit a grave sin? See. Inference 1.

33. 1. Does one who contracts marriage commit a double sacrilege in mortal sin? See. Inference 2.

34. 33. Are those who minister in mortal sin excused if there is urgent necessity? What of those who minister in hospitals, midwives, and especially of parish priests, etc., who minister in necessity?

35. Question 2. Is one who confers sacraments bound to make confession if he is in mortal sin?

36. Question 3. Does a priest or deacon who ministers the Eucharist in mortal sin commit a grave sin? How many sins does a priest celebrating in mortal sin commit? Does one who ministers the Eucharist to many successively commit more sins? Does one who, by his office, touches the Eucharist in mortal sin commit a grave sin?

37. Question 4. Does a confessor who merely hears confession in mortal sin commit a grave sin?

38. Question 5. Does a confessor who successively absolves many commit more sacrileges?

39. 2. Concerning the state of grace required in those exercising other sacred functions.

40. Concerning a deacon and subdeacon who minister at the altar in mortal sin.

41. Concerning a bishop who confers chrism or holy oil in mortal sin.

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40. Concerning the bishop who consecrates in consecrated temples or blesses vestments, etc. And concerning the priest who assists at a marriage or blesses water, linens, etc.

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41. Whether a preacher who preaches in a place of mortal sin commits a mortal sin.

42. See Bus. concerning a minister who uses doubtful or corrupt matter, or who omits the form or ceremonies.

43. Whether the sacraments should be denied to the unworthy. It should be said: 1st: Generally speaking, it is sacrilegious to administer the sacraments to the unworthy.

44. 2nd: The sacrament must be denied to a public sinner, whether he asks for it openly or secretly.

45. Doubt 1st: What if the sin is known only to some of those present?

46. Doubt 2nd: What if the crime is public in another place?

47. Doubt 3rd: Can the Eucharist ever be administered to a public sinner?

48. Doubt 4th: What should be done in a doubt concerning a crime and concerning penance?

49. Doubt 5th: Can a minister, out of fear of death, administer the sacrament to an unworthy person?

50. 3rd: The sacrament must not be denied to a hidden sinner who asks for it publicly. Otherwise, if he asks for it secretly.

51. Question 1st: Can a confessor deny the sacrament because of a crime heard in confession?

52. Question 2nd: Can a bishop deny the sacrament of Holy Orders to a hidden sinner who asks for it publicly?

53. Question 3rd: Can a man who is being ordained be absolved of a shameful vice if he wishes to ascend to the sacred orders? Refer to n. 63 at the end of this doubt.

54. Question 4th: Can a parish priest assist at the marriage of a public sinner? And to what extent is he bound concerning impediments?

[*Latin ed. p. 229*]

55. Question 5. Whether one of the parties can lawfully enter into marriage with the other who is excommunicated or a public sinner.

56. And whether it is permissible to contract marriage with heretics.

57. Question 6. Whether it is permissible to use a probable opinion when conferring the sacraments.

58. Question 7. Whether and when ministers are obligated to administer the sacraments.

59. Question 8. Whether it is permissible to simulate the administration of a sacrament.

60. Whether it is permissible to simulate the reception of a sacrament. But what if someone simulates confessing?

61. What if someone simulates receiving Holy Communion?

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62. What if someone simulates contracting marriage?

63-77. Dissertation on a cleric living in a scandalous vice: whether he can be absolved and ordained to the sacred orders, desiring it.

30. » R ESP. 1. Besides those things which are required for the validity of the sacrament, probity is required, or that he be in the state of grace: both because he ought to conform himself to Christ, of whom he is a minister, and because he is singularly ordained for this purpose, and a special grace is bestowed upon him, and therefore he is obligated to care for this above all else. Thus Laym. l. c. and commun. » Therefore, it is resolved: 1. He sins gravely who confers the sacraments without having sufficient jurisdiction, or who reasonably doubts thereof, or who is prohibited by censure.

[*Latin ed. p. 230*]

2. It is not lawful for a priest to administer the sacraments when he is aware of a mortal sin; because he is still outside the state of grace. *Bonus*, question 3, paragraph 1, section 1.

3. However, confession is not necessarily required beforehand (unless he wishes to celebrate it), although it is more prudent; because there is no command regarding this, and contrition alone is sufficient to remit a mortal sin. *Vasquez*, part 136, chapter 1; *Lugo*, part 8, section 9.

4. The minister of the sacrament, ordained for that purpose, if he completes and administers it solemnly while in a state of mortal sin, for example, if he baptizes or celebrates Mass, commits a mortal sin as often as he does so (which Sayr, Led, and Bonus, *Granada*, Cent. 5, Tr. 5, on the deacon baptizing by special commission, also hold to be true), unless, perhaps, there is danger in delay, and he cannot confess or make an act of contrition quickly; in such a case, Lugo, part 8, section 151, teaches that it is not irreverent to baptize or even absolve a dying person, even while he is in a state of sin.

5. I said 1st, "ordained for that purpose"; for if a layperson baptizes in necessity while aware of a mortal sin, they do not commit a mortal sin, as taught in *Philippi*, volume 1, chapter 5, question 10, citing Suarez, etc.

6. I said 2nd, "solemnly"; for if he baptizes without solemnity, Suarez, the Council, and Philippi, in the aforementioned places, excuse him from mortal sin.

7. Others who complete and administer [the sacrament]...

[*Latin ed. p. 231*]

They do not sin mortally, for example, when laymen baptize or perform the marriage ceremony for each other in a case of mortal necessity. Thus, Suarez, along with others, teaches against Silv., Vasq., and others; however, those who hold this view believe that they do sin mortally to the extent that they participate in such a ceremony in a situation of mortal necessity.

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Similarly, Fill., Fern., Sanch., and Bon., in book 6, chapter 6, paragraph 1, number 6, state: "He who ministers, even if he does not complete the action, in the administration of the Eucharist in a case of mortal necessity, sins mortally, as Suarez, Fill., Laym., and Bon., among others, hold, contrary to Vasq., whose opinion, as Dian. rightly notes, is likely to be correct, whether he is a priest or a deacon, as seen on page 3, line 4, paragraph 195. Lugo also teaches this in book 9, number 155. Indeed, some believe that as many mortal sins are committed as there are things distributed; which seems less probable, since a mortal sin consists only of one distribution and one unworthy act of ministry: thus, Tann. 2. 2., Henr., Fill. number 87, etc., contrary to Con. and Bon., number 7. o. Although it is probable, as Silv., Caj., Fill. 4. 1. tract. 1, chapter 6, number 87, Nav., and Sa, in the Ordo, teach, that a deacon and a subdeacon, if they minister in their proper order in the administration of the Eucharist, and that a priest and a bishop, if they perform sacramental acts, such as celebrating marriages, blessing water, consecrating altars, temples, and vessels, preaching, or transferring the Eucharist from place to place, sin mortally, it seems more true, as Suarez, Vasq., Laym., and Con. teach."

[*Latin ed. p. 232*]

64. Article 6. Doubt 1. Lugo, in the aforementioned work, states: "The reason is that these actions do not directly tend towards the sanctification of the soul through the action itself, as do sacramental actions." 8. It does not seem to be a true opinion that it is a mortal sin to touch, with mortal sin, corporeal objects, such as chalices, relics, etc. Sayr., Suar., Bon., d. 1, q. 3, p. 2. If someone, even a layperson in necessity, elevates the Eucharist from the ground, it does not seem that he is doing anything different than if he were to raise a deceased Christ in this life. However, if someone does this rashly, outside of necessity, it is like the example of Oza. Bon., d. 1, q. 3, p. 2, n. 12. 31. It is necessary to distinguish here between the confection and administration of the sacraments and other sacred functions. And 1st, with regard to the confection or administration of the sacraments, it is common and certain among the Doctors (whatever some may say, they should not be heard by Croix) that the minister of the sacrament, if he is ordained for that purpose, if he solemnly performs the confection and administration while in mortal sin, commits a mortal sin. The reason is given by St. Thomas, 3rd part, q. 64, art. 6, who says: "It is fitting that the ministers of the sacraments be just; because the ministers ought to conform themselves to the Lord: and therefore, it is not doubtful that those who, being wicked, present themselves as ministers of God and of the Church in the dispensation of the sacraments, sin." And because...

[*Latin ed. p. 233*]

This sin pertains to irreverence towards God and the profanation of the

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sacraments, and, insofar as it concerns the person committing the sin, it follows that such a sin is of a mortal nature.

32. But let us inquire: Whether a minister sins gravely who confers a sacrament to which he is not specially ordained. This question, indeed, only arises in the cases of Baptism and Matrimony; for it is clear that the other sacraments cannot be administered except by ordained ministers. The first opinion denies this, and this view is held by Conc. t. 8. p. 90. n. 15., who cites "vera et communis," Tourn. in prael. theol. t. 6. p. 228., Nat. Alex. de sacr. l. 2. reg. 8., Anacl. p. 532. n. 45., Salln. de sacr. c. 8. n. 87. with Suar., Bon., and Valent.; also Gon., Hab., Juen., etc., apud Cont. Tourn. t. 4. pag. 32. v. Dixi 2. And St. Thomas explicitly teaches it in 3. p. qu. 64. art. 6. ad 3., where he says: "However, in a case of necessity, a priest would not sin in baptizing in a case in which even a layman could baptize; thus, it is clear that he would not be acting as a minister of the Church, but would be assisting in the necessity of the person being baptized." This is different in the other sacraments, which are not of such necessity as Baptism. This opinion is indeed probable; but, considering the reasons, the second opinion seems more probable, which affirms this, and is held by Cont. Tourn. loc. cit.

[*Latin ed. p. 234*]

Cross, nos. 92 and 93; Antoninus, Quaest. 6; Lugo with Vasquez, Pontius, Navarret, and Ledo, etc. This teaching indicates that, speaking intrinsically, a layperson or a priest administering a sacrament without due solemnity gravely sins if he administers it in a state of mortal sin. The reason is, firstly, because the sin committed by the unworthy minister, according to the doctrine of St. Thomas, as previously presented, consists in the irreverence shown to God and the sacrament, and this irreverence is not only inflicted by a consecrated minister, but also by one who is not consecrated; secondly, because although he may not present himself at that moment as a minister of the Church, he nevertheless presents himself as a minister of Christ; thirdly, because sacred things must be treated with reverence, and certainly in a grave matter: but the act of administering the sacraments is, indeed, exceedingly sacred, because it is done in the name of Christ and immediately cooperates in the sanctification of the soul; therefore, wherever it is exercised, it requires the sanctity of the one who performs it. From this, it follows that it is more probable that a layperson or a priest administering baptism without due solemnity in a state of necessity gravely sins; and it follows that it is more probable that those contracting marriage in a state of mortal sin gravely sin, not only by receiving the sacrament, but also by administering it, as Pontius states in *De Matrimonio*, book 1.

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c. 8, n. 11; Lugo de sacr., d. 8, n. 150, with Navarrus, Vasquez, Leander, etc. (contrary to Sanchez de Matrimonio, lib. 2, d. 6, n. 4; Suarez, de sacr.,

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d. 16, sect. 2; Bonaventure, d. 1, q. 3, p. 2, § 1, n. 10, with Soto, etc.). Furthermore, Croix, lib. 3, p. 1, n. 93, considers our opinion to be absolutely true, and states that it is valid even if the marriage is entered into through a procurator.

33. We have stated this speaking of the matter itself; for, by accident, a minister, whether consecrated or not, is excused if he administers the sacrament of baptism or penance in necessity, for example, if he could not quickly obtain a priest, and there would be danger that the dying person would depart without baptism or absolution, as the commentators teach, with Busenius, as mentioned above; Lugo, d. 8, n. 151; Roncaglia, de sacr., c. 4, qu. 6; Contraro, Tourn., t. 4, page 52, v. 1; Antoine, de sacr., c. 2, qu. 6; Croix, lib. 6, p. 1, n. 92; Salmeron, ibid., tit., c. 7, n. 93, with Vasquez, and the Council, etc. And Moya, in Croix, in the same place, concerning the confessor, says that he who could not quickly obtain a priest would incur the stain of infamy. Tamburrini also says this in Melchior Caninius, comm., c. 1, § 10, n. 71, and Lugo, d. 9, n. 8, with Vasquez, and Henry, de sacerdote, who, having begun Mass in good faith, would remember a mortal sin and could not easily obtain absolution, and would, against all reason, not be able to cease from the begun sacrifice without infamy. But the Council rightly contradicts these opinions, t. 8.

[*Latin ed. p. 236*]

Page 350, paragraph 37. The reason is that, on the one hand, the divine precept urges that the sacrament be conferred or received in a state of grace, and on the other hand, it is not impossible for such a priest to elicit contrition; indeed, God (as taught by the Council of Trent, Session 6, chapter 11) does not command impossibilities, but by commanding, He reminds us to do what we can and to ask for what we cannot, and He helps us to be able to do it. Therefore, if the priest does not experience contrition, it results from his own fault, either because he does not make every effort possible, when there is sufficient time available (unlike in the first case of a dying person), or because he adheres to sin. Furthermore, it should be noted, as stated in *Controversae* by Tournhem, volume 4, page 32, that priests who minister in large hospitals or in *castris*, where the needs of the dying are present, are always to be prepared to administer the sacraments in a state of grace; and Tournhem, for the same reason, reasonably states this concerning midwives. Moreover, it is all the more necessary for pastors and other priests to whom it is their duty to administer the sacraments to be prepared, as Natali Alexander rightly says in *De Sacris*, book 2, rule 12, quoting St. Charles Borromeo in his instructions, where it is stated: "The pastor and every priest who is to administer the sacraments must remember that it is necessary to be prepared at almost every moment of

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time for this most sacred administration."

[*Latin ed. p. 237*]

34. Question 2. Whether a priest administering the sacraments is obligated to require confession if the person is in a state of mortal sin. Regarding the administration of the Eucharist, it is certain, according to the Council of Trent, that confession is required, as stated in number 255. However, concerning other sacraments, the first opinion affirms this requirement, and this is held by Mercurialis, book 1, page 71, conclusion 5; Generalis, book 1, page 35, question 4; Council of Trent, session 1, chapter 8, page 94, number 27, from the Roman Catechism, page 2, chapter 5, section 45, where it is stated: "When we administer or receive the sacraments, confession is not always required." The reason is twofold: first, because the same reason that applies to the precept concerning the Eucharist also applies to other sacraments; second, because the minister, being obligated to administer the sacraments in a state of grace, must have moral certainty of his own justification, just as he must have certainty regarding the matter and form; but this certainty cannot be obtained through contrition alone, which is difficult to achieve and attained by few. The second opinion, which is more probable and commonly held, denies the necessity of confession and states that it is sufficient to elicit contrition. This is held by Suarez, in the place cited below; Lugo, on the sacraments, book 8, number 145, asserting that it is the common opinion; Salm, in the same work, title, chapter 7, number 94, who also assert that this opinion is common, namely, that it is sufficient to elicit contrition, which is considered probable; also, Sylvester, in "Verbo Confessio," book 1, section 2; Layman, book 5, treatise 1, chapter 5, number 10; Navarrus.

[*Latin ed. p. 238*]

Sum. cap. 2, n. 6; Victor, Sum. n. 135; Ronc. de sacr. q. 4, c. 1, r. 6; Spor. t. 3, p. 25, n. 170; Croix, lib. 6, p. 1, n. 93; Viva, q. 1, art. 4, n. 4; Elb. t. 3, p. 15, n. 49; qui etiam asserit communem, Bon. d. 1, q. 3, p. 2, n. 3, cum Reg., Fill., Henr. et aliis passim. Prob. 1. ex rit. rom. de sacr. in gen., ubi dicitur: "Sacerdos si fuerit peccati mortalis sibi conscius (quod absit), ad sacramentorum administrationem non audeat accedere nisi prius corde pæniteat. Sed si habeat copiam confessarii, et temporis locique ratio ferat, convenit confueri." Nota: "convenit"; ergo, ex rituali, sufficit pænitere per contritionem, et confessio est de convenientia, non de necessitate. Prob. 2. ratione, tum quia in aliis sacramentis non habetur præceptum neque naturale neque divinum neque ecclesiasticum de præmittenda confessione, ut habetur in suscipienda eucharistia; tum quia, ut ait doctiss. Suar. in 3. part. d. 16. v., "Quæritur licet confessio (ut vidimus) valde conveniat, tamen satis est ut sacerdos adhibeat diligentiam moralem ad se justificandum per contritionem, quin summam adhibeat per confessionem. Nec eadem ra-

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tio currit pro materia et forma sacramenti quam pro licita administratione sacramenti; ibi enim (ut diximus eum eodem Suar. t. 1. l. 2. n. 33)."

[*Latin ed. p. 239*]

When we speak of the substance or the essence of a thing, probability cannot cause matter and form to become unsuitable for the purpose: but in the lawful administration of the Sacrament, when we speak only of the manner, that is, of the propriety of the action, then probability can make the action proper, when it is judged to be proper by prudent judgment, even if it is not inherently so. 35. Question 3rd: Does a priest or deacon sin mortally when administering the Eucharist to a dying person? The first opinion denies this, and this opinion is held by Lugo de sac. d. 8. n. 155, Spor. t. 3. p. 26. n. 172, Diana p. 2. t. 14. r. 23, and Salm. de sacr. c. 7. n. 10. is considered probable, along with Silv., Vasq., Gabr., Led. etc., Viva q. 1. art. 4. n. 4, Croix lib. 6. p. 1. n. 94, along with Arr., Av., Dicast., Amico, Bernal etc. The reason is that when distributing the Eucharist, since the distributor does not confect the Sacrament, he only remotely cooperates in the production of grace; he does not cause the action to be, in itself, the cause of grace, but only applies the active to the passive; nor does he act in the name of Christ, since Christ has not required that the distributor be a sacred person; for formerly, even laymen offered Communion to themselves or to others. The second opinion, which we follow, affirms this, and this opinion is held by Suar. in 3. p. d. 16. sect. 3. and 4. v. Dices, Conc. t. 8. p. 90. n. 17, Holzm. t. 2. pag. 7. n. 29, Cont. Tourn. t. 4. p.

[*Latin ed. p. 240*]

33. coll. 3., *Viva loco supra cit.*, Antoine de *sacr.* c. 2, q. 6, v. resp. 2., Laym. lib. 5, tr. 1, c. 5, n. 8., Ronc. de *euch.* c. 4, q. 2., item Gon., Bon., Valent., Conc., Fill., Vill. etc. apud Croix n. 94. Hoc est probatum ex cap. *Sciscitantibus* 15, qu. 8., ubi Nicolaus I., loquens de sacerdote adultero eucharistiam ministrante, dicit: "Mali bona administrando se tantummodo lædunt." Et cum hæc materia de qua agitur sit gravis, consequenter graviter se lædunt. Item hoc est probatum ex *catech.* rom. p. 2, c. 1, n. 26., ubi dicitur: "Si homini peccatis contaminato minus licet de rebus divinis agere, quantum ab eo scelus concipi existimandum erit qui sibi multorum scelerum conscius est nec tamen sacra mysteria polluto ore conficere vel in fædas manus sumere, contrectare atque aliis porrigere et ministrare vereatur?" Item hoc est probatum ex *rit.* rom. §. 1., ubi: "Impure et indigne ministrantes (sacramenta) in æternæ mortis reatum incurrunt." Et de *sacr. euch.* dicitur: "Omnibus quidem ecclesiæ catholicæ sacramentis religiose sanctæque tractandis magna cura adhibenda, sed præcipue in administrando ac suscipiendo SS. Eucharistiæ sacramentum." Ratio igitur nostræ sententiæ est, quia sacerdos ministrans eucharistiam in mortali gravem irrogat injuriam huic

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sacramento, eo quod ut minister ad illud...

[*Latin ed. p. 241*]

The priest, having been consecrated, administers the sacred Host unworthily: and just as, in other sacraments, the minister contributes most closely to the sanctification of the recipients through the consecration, so here he contributes most closely through the dispensation, since the minister of the Eucharist cannot present himself as a minister in any other way than through the dispensation, according to the words of Paul in 1 Corinthians 4: "Thus we are judged by men, and by the ministers of Christ, and dispensers of the mysteries of God." It is not valid to say that the priest is not especially appointed by Christ to minister the Eucharist, because formerly this was also done by laymen. For although, by accident and in necessity, this has been permitted to laymen, as also to baptize, yet no one can deny that the minister, ordinary and by office, to dispense the Eucharist is solely the priest or deacon, by commission. Hence, we say, with Mazz. vol. 3, page 49, and Holzm. vol. 2, page 6, no. 26, that the celebrant commits four mortal sins: 1. because he confects the sacrament; 2. because he receives it; 3. because he administers it to one unworthy, as Holzm. rightly observes in the place cited, Croix vol. 6, page 1, no. 93, Suar. d. 67, sect. 1, and Lugo d. 8, no. 199 and 202. For when the celebrant acts in two roles at that time, one as one who receives, and the other as a minister, therefore he commits two sacrilegious acts, as we have said of one contracting marriage in a state of mortal sin, who sins grievously in two ways, because...

[*Latin ed. p. 242*]

He commits sacrilege, because he administers the Sacrament. Concerning these three acts of sacrilege, we have already spoken at L. 5, n. 44-4. He commits sacrilege, because he administers the Eucharist in a state of mortal sin, as we shall soon demonstrate above. Whether the minister who administers the Eucharist commits one sin or many, Bonaventure, in *Disputationes de Anima*, question 3, part 2, section 1, number 15, affirms, together with others, that each distribution is a distinct communion and a complete action. However, it is more probable, as Henry of Besançon states in *De Peccatis*, chapter 3, number 2, and as Viva states in *De Sacramento*, question 1, article 4, number 4, and as Fill and Henry state in *Ad Bonaventuram*, that the plurality of those who receive constitutes only an aggravating circumstance, but not a multiplicity of sins, since it is truly one moral action and one communion; and this one is said to be, although it consists of many communions. Hence, the ritual states: "When all have communicated, the priest may say: O sacred communion, etc." Furthermore, Contenson, in *Cursus Theologicus*, volume 4, page 34, with the theologians in the *Doctor Thomae*, in the 4th book, 24th question, article

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3, question 5, ad 4, states that he who, being in a state of mortal sin, touches the Eucharist directly or indirectly by reason of his office, for example, by carrying it in a procession or by blessing the people, commits a grave sin; and this, it seems, is expressly taught by Saint Dionysius, in Tournhem, in the aforementioned passage, who says: "Those who touch sacred things, as if using their office, sin."

[*Latin ed. p. 243*]

Mortaliter. Sed non improbabiliter. *Bonifacius*, Dist. 1, c. 3, p. 2, § 1, n. 13; *Croix*, l. 6, p. 1, n. 101; *Lugo*, d. 8, n. 155; *Anaclasius*, p. 534, n. 58; *Holzhauser*, t. 2, p. 7, n. 29; *Eltz*, t. 3, p. 15, n. 50; et *Salm*, c. 7, de sacr., n. 109; et *Busing*, ut supra, n. 7, cum *Suarez*, *Vasquez*, *Layamon*, et *Contraro*. Hi negant; quia haec non est administratio sacramenti, nec videtur materia tam gravis ut peccatum mortale inducat. Dicit enim *Suarez*, in 3a, d. 16, c. 3, v.: "Cum aliae actiones, praeter sacramenta, non sint ad sanctificationem per gratiam proxime ordinatae, neque in eis se exhibeat sacerdos et minister Dei sanctificantis animam, non est tam gravis causa et ratio exigendi internam animae sanctitatem ad eas exercendas. Ergo illas in peccato efficere ex parte materiæ non videtur esse grave sacrilegium."

36. *Quaestio quarta*: An peccet graviter confessarius excipiens confessionem in mortali cum proposito eliciendi contritionem antequam absolvat?

Prima sententia probabilis, quam tenent *Gonzalez*, d. 7, c. 6, n. 108; et *Contraro*, *Tournhemensis*, t. 4, p. 33, v., col. a.; *Escobar*, l. 8, n. 134, cum *Suarez* et *Lugo*, affirmat; quia talis actio est sacramentalis et pertinet ad ministrum consecratum, cum sacerdos non minus consecratur ad audiendam confessionem quam ad absolvendum.

Secunda sententia communis.

[*Latin ed. p. 244*]

And it is more probable that he denies this, and this is held by Lugo in *de sacram.*, book 8, number 158; by Spor, volume 3, page 26, number 175; by Elb., volume 3, page 15, number 50; by *Diana*, page 1, line 7, paragraph 47; by Salm., *de sacr.*, chapter 7, number 107, with Henry and Croix, book 6, page 1, number 102, with March, Rodriguez, Moya, Gob, Dic, Av, Bernal, and Bosco. The reason that Lugo uses is that the priest, by hearing confessions, is only passively involved. But this reason is rightly not admitted by Croix, because the confessor, by receiving the confession, is truly not only passively involved, but also acts in forming a judgment about the sins. A more suitable reason is that the confessor, by hearing, does not perfect the sacrament; for it is not perfected unless absolution is given. But that which Croix adds there, with March and Gob, namely that the minister does not commit a mortal sin if, in a mortal state, he begins the form of the sacrament, provided that he corrects himself before he completes it,

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does not please me. For although grace is not conferred unless the form is completed, nevertheless the efficacy of the sacrament and the conferring of grace depend less on the last words of the form than on the first; therefore, the priest who begins it in a mortal state gravely sins, as Av says, apud Croix, because he already inflicts an injury on the sacrament, conferring it in a mortal state.

Question 5: Does the confessor, successively absolving in a mortal state, commit more sins?

[*Latin ed. p. 245*]

Vdicta, lib. 5, n. 50, qu. 6, ubi affirmavimus sententiam affirmativam esse verior; quia singulæ absolutiones sunt singula sacramenta. 37. 2. O Quod autem pertinet ad alias functiones sacras quæ non sunt confectiones neque administrationes sacramentorum, quaestio est an minister qui ex officio illas exercet in mortali, peccet mortaliter. Prima sententia, pro qua certe videtur esse D. Th. in 4. d. 24. q. 1. a. 3. q. 5. ad 4. (quidquid aliqui dicant) et sequuntur alii apud Jueh. insitit. theol. t. 7. p. 86. q. 4., dicit omnes exercentes ex officio functiones ordinis suscepti, ab episcopo usque ad ostiarios, in mortali culpam gravem committere. Hæc verba D. Th.: Quicumque autem cum peccato mortali aliquod sacrum officium pertractat non est dubium quin illud indigne faciat; unde patet quod peccat mortaliter. Secunda vero sententia communior et satis probabilis negat, et hanc tenent Suar. in 3. p. d. 16. s. 3., Holzm. t. 2. p. 7. n. 31., Anacl. p. 534. n. 58. cum Manstr., Bon. de sacr. d. 1. q. 2. p. 2. §. 1. n. 4. cum Soto, Val., Fill. etc., Salm. eod. tit. n. 101. cum Vasq., Vill. et Gran. Ratio 1., quia, ut ait Suar. (cujus verba retulimus supra n. 35. in fin.), omnia alia exercitia ordinum, præter confectionem vel administrationem sacramentorum, cum non sint proxime ordinata:

Vdicta, book 5, number 50, question 6, where we have affirmed that the affirmative opinion is the truer one; because each absolution is a distinct sacrament. 37. 2. O As for other sacred functions which are not the confection or administration of sacraments, the question is whether a minister who, by his office, performs these in a state of mortal sin, commits a mortal sin. The first opinion, for which it certainly seems that D. Th. is in favor, in 4. d. 24. q. 1. a. 3. q. 5. ad 4. (whatever anyone may say), and others follow apud Jueh. insitit. theol. vol. 7, page 86, question 4, states that all those who, by their office, perform the functions of the order they have received, from the bishop down to the doorkeepers, commit a grave mortal sin. These are the words of D. Th.: Whoever, while in mortal sin, performs some sacred office, there is no doubt that he makes it unworthy; hence it is clear that he commits a mortal sin. The second opinion, which is more common and quite probable, denies this, and those who hold this opinion are Suar. in 3. p. d. 16. s. 3., Holzm. vol. 2, page 7, number 31, Anacl. page 534, number 58, with Manstr., Bon. de sacr. book 1, question 2, page 2, §. 1, number 4, with Soto, Val., Fill. etc., Salm. ibid. title, number 101, with Vasq., Vill. and Gran.

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Reason 1, because, as Suar. says (whose words we quoted above, number 35, at the end), all other exercises of the orders, except for the confection or administration of sacraments, are not proximately ordered.

[*Latin ed. p. 246*]

For the sanctification of the soul, these functions do not seem to require a holiness of a grave degree. 2. Because, as is rightly said (Salm. n. 108), where there is no command, it is not easy to impose a mortal obligation; but in these functions which we have mentioned, there is no such command; therefore, the gravity of the obligation must be derived from the matter itself. And since this matter does not seem to be, or at least it is not certain that it is, of such grave importance, it seems that exercising these functions does not involve mortal sin; which sin, however, will be the more grave, the more the actions are related to the ministry of the sacraments.

38. From this, it follows that 1.º it is probable that deacons and subdeacons who minister at the altar in a state of mortal sin are not gravely culpable. Thus, Suarez, *loc. cit.*, s. 3; Lugo, *de 8. n. 152*; Soto, *in 4. d. 24. q. 1. ;* Laym., *l. 5. tr. 1. c. 5. n. 10;* Vasquez, *d. 136. c. 4;* Conc., *q. 64. a. 6. d. 1;* Salm., *loc. cit.*, n. 104;* Holzm., n. 31;* Anacl., *loc. cit.*;* Spor., *t. 2. p. 26. n. 174;* Elb., *t. 3. p. 15. n. 50;* Croix, *l. 6. p. 1. n. 98, cum Dic.;* Bon., *loc. cit.*, n. 7, cum Val.;* Fill.;* Angl., and many others; nor does Antoine dissent in *de sacr.*, cap. 1, q. 7 (contrary to Wig., *ex. 4. tr. 11. n. 37;* Cont., *Tourn. t. 4. p. 34. n. 6;* Conc., *t. 8. p. 32. n. 31;* Petroc., *t. 3. p. 79,* and others from *D. Th.*, *loc. cit.*, as above); and this even if they frequently minister in such a state.

[*Latin ed. p. 247*]

They say, the Council [de Conciliis], chapter [capitulo], number [numero] 98, Bonaventure and Salmeron, with Vasquez, against Fillon, Suarez, and Laínez, who condemn the frequent reception of Holy Communion as a mortal sin, because it appears to be a virtual contempt [contemptus virtualis]. But it is truer (as we have said in book [libro] 4, number [numero] 161, see [vide]), according to the teaching of the Doctors [Doctorum], that frequent reception, in itself, does not constitute contempt. They object, firstly, the passage in the First Epistle to Timothy, chapter [capitulo] 3, where it is said that deacons ought to be men holding fast the mystery of the faith in a pure conscience. Therefore (they say), those who minister while in sin act against the Apostle's precept. But the response is that, in the time of the Apostle (as Tournhem says in *Praelectiones Theologicae*, translation [translatione], 10, page [pagina] 237, and the author himself, Peter Canisius, *De Antiquitate Ecclesiae*, book [libro] 1, 4, page [pagina] 215), deacons, by their office, ministered the Eucharist and Baptism to the faithful; for St. Justin, as quoted by Peter Canisius, says: "Those among us who are called deacons distribute the bread to each one, etc.; and this

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food is called the Eucharist." And Tertullian, as quoted by Tournhem, says: "The bishop has the right to administer baptism; then the presbyters and deacons, but not without the authority of the bishop." Therefore, rightly, because of the reverence of Baptism and the Eucharist, the administration of which was entrusted to the deacons, the Apostle required a pure conscience in them. They object, secondly, the passage in the *Quaestiones* [Questions], concerning the cohabitation of clerics, etc., where it is said that a cleric living in concubinage is under a mortal sin, insofar as:

[*Latin ed. p. 248*]

Himself suspended from office, and especially another passage in chapter "Quaesitum ultimum," concerning the time of ordinations, where Gregory IX., speaking of priests and other clerics existing in hidden mortal sin, said: "If they have not repented, they must be warned and, under the threat of divine judgment, urged to cease ministering, even in the orders they have received, as a testimony to their condemnation." But, in response, 1st, with Lugo, number 147, and Croix, number 103, it is true that Gregory rightly said that such clerics gravely sin by ministering in a state of mortal sin, because, according to the decree of Pope Anacletus and the Ninth Canon of the Apostles (whose words are cited by Suarez, d. 69, section 3, § 1, ad 2), the ministers of the altar at that time were obligated to communicate at Mass; and in this sense, it is true that deacons and all others ministering at the altar were suspended from the exercise of their orders by any mortal sin. In response, 2nd, if this passage were to be understood strictly, even lesser clerics would sin mortally by exercising the acts of their orders. But this, even those of opposing opinion, do not assert, and himself, in *Controversae Tournenses*, page 35, expressly states the opposite, saying that all theologians agree on this, both because the duties of lesser clerics are also performed by laymen, and because their functions are very different from the action of the sacrifice. Therefore, although the passage seems to suggest this, it must be understood as follows:

[*Latin ed. p. 249*]

Gregory certainly did not intend to establish a new law, but rather to explain (and for this reason he said that they ought to be admonished) the natural obligation of those who minister at the altar, concerning the subject matter, to abstain from certain actions, according to the quality of reverence which each action requires, in accordance with its dignity; for the administration of the sacraments requires one kind of reverence, and indeed a grave one, while other functions require another, which may be greater or lesser, according to (as we have said) the proximity which that function has to the sacrament.

39. Secondly, it is probably not the case that a bishop commits a grave sin if he consecrates the chrism or the sacred oil in a mortal state, as held

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by Pal. de sacr. d. un. p. 6. n. 4., Vasq. c. 4. n. 48., Salm. c. 7. n. 101., Croix l. 6. p. 1. n. 96., Holzm. tom. 2. pag. 7. n. 30. with Hear., Bon. q. 3. p. 2. §. 1. n. 8. with Suar., Sot., Con., Fill., Sayr. and others, against Cont. Tourn. t. 4. p. 34. n. 6. and others with Lugo d. 8. n. 156., who believes that this is a mortal sin, because the chrism or the oil, which must necessarily be blessed by the bishop, is the matter of the sacrament without which there is no sacrament. But consider that, although the chrism or the oil is not suitable matter unless it is blessed by the bishop, nevertheless the bishop, when blessing the matter, does not commit a mortal sin, because he is always remotely concurring in the production of a LIG. Theol. Mor. T. VIII. L.

[*Latin ed. p. 250*]

grace; otherwise, whoever should prepare matter for other sacraments would also gravely sin. For it happens by accident that the chrism, or oil, for the sacraments of Confirmation and Extreme Unction, is not suitable matter unless it has been blessed by a bishop.

40. It follows, thirdly, that the most common and probable opinion is that a bishop or priest does not commit a mortal sin when he consecrates a church, blesses sacred vestments or vessels, assists at a marriage, blesses ashes, holy water, etc., contrary to Sylvester, Cajetan, etc., as cited by Bus. Lugo, Vasquez, Laym., Con., also Gon. man. vol. 6, page 78, Antoine, chapter 1, question 8, Croix, number 59, and Salm. number 106, with Suarez, Bona, and Ledesma, and Tourn. vol. 4, page 34, does not dissent. The question is, whether a preacher sins mortally when he preaches in a place where mortal sin is committed. The first opinion affirms this, and Cajetan, 2-2, question 187, article 1 and 3, d. 6, Merb. page 3, question 15, Juen. question 5, chapter 3, article 2, Cont. Tourn. vol. 4, page 35, and others cited by Dian. page 3, treatise 4, rule 197, hold this view; and in support of this opinion, it seems that D. Th. in 4, d. 19, question 11, article 2, ad 2, also states that a preacher, even secretly, gravely sins when he preaches in a place where mortal sin is committed, because, as he says, it hinders the end of preaching; because while he professes with his mouth that he knows God, his actions deny it. Others, however, use a different reason; they say that...

[*Latin ed. p. 251*]

mortally, because it performs an act pertaining to the religious state. The second opinion, which is more common and more probable, denies this, and it is held by Gon. l. c., Suar. in 3. p. t. 3. d. 16. sect. 3. *in fine*, and de charit. d. 8. sect. 4. n. 6., Lugo de sacr. d. 8. n. 152., Pal. t. 1. tr. 6. d. 3. p. 7. n. 7., Bon. d. 1. q. 3. p. 2. n. 8. *cum Vasq. et Sayr.*, Spor. t. 3. p. 26. n. 174., Croix l. 6. p. 1. n. 99., Salm. de sacr. c. 8. n. 106., *Diana Veteranorum* l. c. et t. 7. tr. 3. r. 14. *cum Villal., Torr., Laym. et aliis pluribus*. The reason is, firstly, because no divine or ecclesiastical law clearly prohibits those under a mortal sin from preaching; secondly, because the act of preaching does not directly

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tend to sanctifying the person, since it does not, of itself, cause grace, as do the administration of the sacraments. The reason given in opposition to this opinion, namely that a sinner preaching while under a mortal sin gravely sins, because he performs an act unworthy of his religious state, is not valid. For it is one thing to perform an act pertaining to the religious state, and another to perform an act annexed to the religious state: for he who performs an act pertaining to the religious state, when that act is ordered towards the Eucharist, and does so unworthily, probably inflicts an injury upon the Eucharist. (I say "probably," because the opposite is also probable, as we have said in n. 35. See Valde, because such an act is not immediately ordered towards the production of grace, as is the administration of a sacrament.) But he who performs...

[*Latin ed. p. 252*]

The office of preaching, since it is only externally attached to the order and, by itself, is ordained only for the neighbor, does not cause injury to the order when a preacher sins, but rather to the neighbor; therefore, the guilt must be measured according to the injury inflicted upon the neighbor. Hence, a hidden sinner preaching does not cause any harm to the neighbor, but rather brings benefit; therefore, he should not be subject to mortal condemnation. I have spoken of mortal sin; for generally, the Doctors do not excuse from venial sin, due to some irreverence committed against the divine word. Hence, it is customary for a preacher to ask for a blessing from the bishop before the sermon, saying: "Prepare my heart, O Lord."

However, Suarez, Soto, and Diana II, chapters, state that the preacher is not excused from mortal sin if it is his duty to preach, and he preaches to an existing public sinner; because then he gives scandal and hinders the purpose of doctrine. And this opinion seems to have been later adopted by St. Thomas. For although, as stated above, in the cited passage, he asserts that both a hidden and a notorious sinner sin mortally when preaching, yet, as the Council observes in t. 8, p. 93, n. 25, it seems that the Saintly Doctor later intended to limit that doctrine to only hidden and public sinners. Indeed, in 2 Corinthians, chapter 6, first reading, St. Gregory says: "Whose life is despised, let his preaching remain."

[*Latin ed. p. 253*]

He is held in contempt, as a public and notorious sinner. He must take care to preach what he ought; otherwise, he sins. And this seems to be understood more clearly if the preacher reproaches a vice of which he himself is publicly accused, according to Romans, chapter 11, where the Apostle says: "He who teaches others, does he not teach himself? He who preaches not to steal, does he steal? He who says not to commit adultery, does he commit adultery? For your sakes the name of God is blasphemed among the Gentiles." 42. "Response 2nd: Furthermore, it is required that he exhibit

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and take care of not only those things which are necessary for the substance of the sacrament, but also those things which pertain to its decorum, whether by nature of the thing itself or by the precept of the Church. The reason for the former is that otherwise he dishonors and treats the sacraments unworthily. The reason for the latter is that the sacraments must be treated piously, and the precepts of the Church bind in conscience." Therefore, it is resolved: 1st: He sins mortally by ministering: 1st, if he uses false matter or form, or (outside of necessity) doubtful matter. *De Bonis*, part 1, question 2, paragraph 1, number 32. - 2nd, if he omits the required intention. But if doubt arises, and not merely a vain scruple (for this must be rejected), as to whether the form was legitimate, or whether it was legitimately and properly pronounced, then even if it is speculatively probable that the form was legitimate, he must proceed under the condition; because...

[*Latin ed. p. 254*]

"Here, the safer course is to choose [that which is] (according to the common sense of the Church, as can be seen in the condemnation of proposition 1, made by Pope Innocent IV, in *Denzinger*, n. 57).

2. Also, [one] sins (either gravely or lightly, according to the gravity or lightness of the matter):

1. He who pronounces the words of the form corruptly, inarticulately, or irreverently.

2. He who, even accidentally, without cause, changes or omits the matter, the form, or the ceremonies, contrary to the custom of the Church. If this is done out of contempt, it is mortal; if out of negligence, it is often mortal, especially when the negligence is great and in a serious matter. See below, chapter 4, paragraph 5.

3. He sins gravely who administers the sacrament to a public sinner or otherwise unworthy person, unless the unworthiness is known through confession, or if the unworthiness is hidden, and refusing to administer would lead to infamy, as is clear from the practice of the Church and of Christ, who gave the Eucharist to the Jews. He would sin more gravely who, in order not to give [the Eucharist] to an unworthy person, offered him an unconsecrated host, even if he did so in private; or who, fearing to celebrate unworthily, pretended to celebrate Mass, raising an unconsecrated host; because, in itself, this gives occasion to idolatry. See Bonaventure, *Doctor*, 1, question 6, *prima*, Suarez, *Disp.*, and the Council and its commentary.

43. Regarding this point concerning the denial of the sacraments to the unworthy, several useful things should be noted: It must be said that..."

[*Latin ed. p. 255*]

He sins gravely who administers the sacraments to the unworthy, as is clear from the common opinion, *Summa Theologica* 3, part II, question 8, article 6; Salm., chapter 7, number 72; Council of Trent, session 8, paragraph

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100; Suarez, *Henr.*, book 6, page 1, number 13; and from the words of Matthew 7:6: "Give not that which is holy to the dogs." Indeed, in some sacraments, the minister is not sufficient to act as a faithful dispenser if he does not know that the petitioner is unworthy, but rather he is more obligated to use prudent judgment to determine whether the petitioner is worthy. In the sacrament of penance, since the disposition of the penitent is entirely required for its validity, the minister, as a judge appointed for this purpose, must be certain of that disposition. In the sacrament of baptism, he must also inquire about the consent and disposition of the one to be baptized. In the sacrament of Holy Orders, the bishop must have certain knowledge of the worthiness of the one to be ordained, since no one has the right to receive the order, insofar as it is directed towards the public good, except he who is called by God, as was Aaron. (See further on this matter, number 50.) In marriage, the priest who assists must inquire about impediments, since he is appointed by the Church for this purpose. In the other sacraments, whatever Antoine may say, these considerations should not be denied to those who live a Catholic life, unless it is established that the petitioner is unworthy. Thus, Suarez, *p.* 3, *d.* 18, section 2; Lugo, *d.* 8, number 217; Escobedo, book 8, number 340; Palafox, *tr.* 18, *d.* un., page 14, number 6, with Soto.

[*Latin ed. p. 256*]

Bonifacius, Decretum, pars I, quaestio 6, paragraphus 4, ad finem; Elucidationes, folium 3, paragraphus 11, nota 36; Croix, liber 6, paragraphus 1, nota 137, cum Henrico et Dicione. Ratio: quia ad haec sacramenta omnes fideles jus habent, et ministri non sunt judices, sed dispensatores: unde in eis non habent jus inquirendi, sed tantum debitum dispensandi omnibus qui petunt; modo isti non sint positive indigni, juxta præceptum prædictum: "Nolite dare sanctum canem." Ergo tantum indignis prohibentur ministrari sacramenta. Praeterea, quivis naturaliter præsumitur bonus, ut dicitur in capite "Dudum, de præsumptione," nisi malus certo probetur. Dicendum, 2. o, sacramentum negandum esse indigno, etiam publice petenti, ut omnes communiter cum S. Thoma, libro citato, Suaricus et Croix, nota 138, docent; semper enim peccator est publicus, cum crimen sit notorium vel jure, quando scilicet quis de eo juridice convictus est, vel facto, cum scilicet commissum est in loco publico, vel fama, nempe cum ex sufficientibus indiciis crimen pervenit ad multos. Et hoc, etiamsi aliquibus ex præsentibus crimen sit occultum. Croix, liber 6, paragraphus 1, nota 139. Excipitur tamen peccator in articulo mortis constitutus, ut Suaricus, Tambacus, Croix, nota 143, cum communi sententia. Secus tamen, si sit occultus et publice petat, ut dicemus infra, vide nota 3, nota 49. Dixi: si publice petat.

[*Latin ed. p. 257*]

For if he seeks forgiveness secretly, even though his sin is hidden, the

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sacrament must be denied to him; as Psalm 7, verse 47, and others say. And the same must be said if the sin is already known to those present. Suarez, Dicast., Arr., Croix, number 13, 45. But here, several doubts arise. Doubt 1: Whether the sacrament should be denied to a sinner whose sin is not simply publicly known, but is known to most of those present, but not to all. There are three opinions. The first, agreeing with the Council, affirms; because, with respect to these individuals, the sin appears to be public. The second, agreeing with Suarez and Bonaventure, more probably denies; because the petitioner still possesses a good reputation with respect to all those who are ignorant of his crime. The third, agreeing with Diana and Croix, book 6, page 1, number 13, says that it should be denied if only one or two virtuous men among those present are unaware of it, and it is believed that the matter has not been spread abroad; and this is quite probable, according to what was said about confession, number 37, 46. Doubt 2: Whether the sacrament should be denied to a sinner in a place where his sin is not publicly known, if it is publicly known in another place. The first opinion affirms, and this is the one to be held. Suarez, page 3, dist. 27, s. 5, conclusion 3, and Acosta, Bonaventure, Palearius, and others, agree with Croix, book 6, page 2, number 140. The reason is that he has already lost the right to a good reputation, since he is infamous in one place, according to...

[*Latin ed. p. 258*]

From the writings on conscience, book 11, number 16. However, the Doctors cited by Croix, in his work, state that if a sinner is prudently presumed to be reformed, [the sacrament may be given]. The second opinion, which I embrace, denies this; and this is held by Cabass, book 1, book 3, chapter 7, number 3, and by Soto, Vasquez, etc., as cited by Croix in the aforementioned passage. The reason is that, on the one hand, when administering the sacrament to him, there is no scandal to others, as we shall say in number 48; on the other hand, by denying the sacrament, the same inconveniences and harms would arise, for which reason it is illicit for the minister to administer the sacrament to a hidden sinner; as we shall say in the column, number 48. However, it must be said differently, if knowledge of that crime is easily disseminated. 47. Doubt 3. What is required in order that a public sinner may receive the Eucharist? Laym, Navi, etc., require, in addition to confession, some time of good conduct in order to remove the scandal. Sanchez also says that a confession made before many (may) be added, Bernal adds, that public penance must be manifestly demonstrated. And Croix rightly adheres to this opinion in book 6, page 1, number 11, 141, when the sinner does not have an immediate opportunity to sin: because he who has publicly confessed, has publicly demonstrated his reform; otherwise, if the opportunity is present, and he does not shun it. But he who asks secretly, it suffices that he has done penance secretly:

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Croix, in the end, with Suarez.

[*Latin ed. p. 259*]

And also, Tamb. But here, the most important thing to note is what is found in the Roman ritual concerning the Eucharist, where it states: "Those who are publicly unworthy of [receiving] the Eucharist are to be excluded, such as the excommunicated, those under interdict, and those manifestly infamous; such as harlots, concubinaries, usurers, magicians, diviners, blasphemers, and others of that kind of sinners: unless it is known that they have made amends for their sins and have satisfied for the public scandal. But secret sinners, if they ask secretly and are not recognized as being reformed, are to be rebuffed; but not if they ask publicly, and it is not possible to pass them by without causing scandal." 48. Dub. 4. What is to be done in a doubt concerning a crime or concerning repentance? It must be distinguished: if the crime is certain and the repentance is doubtful, the sacrament must certainly be denied until it is known that there is repentance, because [the person] is infamous. And this is what Suarez, Arriaga, Spotorius, etc., teach, all in *Croix, l. 6, p. 1, n. 142*. Even if there is a public suspicion of a crime, provided that the suspicion is so strong that it is equivalent to moral certainty; otherwise, if it is of such a nature that it can be put aside with probable reason, as the aforementioned authors say. If, however, there is doubt about the crime, the sacrament cannot be denied: *Croix, ibid.* Understand, however, according to what was said above, n. 43, at the beginning. 49. Dub. 5. Can a minister administer the sacrament to someone unworthy who fears death? The prima facie opinion affirms, provided that the sacrament...

[*Latin ed. p. 260*]

It should not be sought [a denial of the sacraments] out of hatred for the faith or contempt for religion; and this opinion is held by Bon. de sacr. d. 1. q. 6. p. 4. n. 14., Spor. t. 3. p. 28. n. 188, and Croix l. 6. p. 1. n. 138, along with Escob, Gob, Dic, and others; and Suar. 3. p. d. 67. sect. 1. *in fine* also praises it; but there the aforementioned author speaks too ambiguously and refers the reader to the following sections, in which he adds no word about this opinion. The reason for this opinion is that (as they say) if the infamy of a sinner publicly requesting the sacrament excuses such administration and repairs the irreverence of the sacrament, why should death or infamy that must be faced by the minister not excuse him? This opinion formerly seemed probable to me; but, having considered the matter more carefully, I now hold the opposite view, along with the second opinion, which is defended by Conc. t. 8. p. 100. n. 11, and Led, and others, apud Croix l. c.: for the reason for not denying the sacrament to a hidden sinner is different from the reason for avoiding one's own damage. Indeed, a priest cannot publicly deny communion to a hidden sinner; but why? Because, as

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Croix rightly says in n. 144, and others, *pront Cont. Tourn.* t. 4. p. 192, and Antoine de sacr. c. 2. q. 12, Christ seems in that case to yield to His own law and to permit His Reverence to deny [communion], not especially in order to preserve His reputation, as D. Th. 3. p. q. 80. art. 6 says.

[*Latin ed. p. 261*]

2. and Lugo, *D.G.N.* 173, but rather (as the aforementioned authors demonstrate), because of the grave inconveniences that would follow, namely, scandal to others, for if a priest could publicly deny Communion to someone concealing a sin, perhaps even good people might be deterred from receiving Communion, fearing that they might be judged or rebuked by the priest out of spite or imprudence, etc. However, these inconveniences and scandals certainly do not arise in the case of a minister who is compelled by fear to administer the sacrament to an unworthy person; rather, it would be beneficial to the people if, in order to preserve reverence for the sacrament, he were to expose himself to the danger of death.

3. It should be noted that the sacrament should not be denied to a hidden sinner who publicly requests it; thus, all agree with St. Thomas (3 *partibus*, question 80, article 6, *ex c.*), and with the decree (*Placuit*, cause 6, question 2, etc.). If a priest, according to his office, judges otherwise, as stated in *De Officiis Judiciorum Ordinis*, where Pope Eugene confirms this with the example of Christ, who denied Communion to the Jews. The reason is that at that time, Christ is considered to be yielding to his right, lest the sinner lose his reputation, to whom he still retains that right; and this is to avoid the most serious inconveniences that would otherwise occur, as we mentioned above.

Conversely, the sacrament should in no way be administered to a hidden sinner who requests it secretly, as St. Thomas states (3 *partibus*, question 81, article 6, ad 4), and as Salm writes (chapter 7, number 72), except in the case where the crime has been known through confession; in that case, then...

[*Latin ed. p. 262*]

Nor is it permissible for a minister to admonish a sinner, as is entirely stated by Croix, op. cit., no. 145, and by Gobinet, 51, but here, question 2: whether a confessor may deny the sacrament for a crime heard in confession, under the pretext of other causes. Vasquez, Suarez, Palafox, and Diclario affirm this, as stated by Croix, op. cit., no. 145. But it is truer to deny this, as stated by Sanchez in *De Matrimonio*, book 3, chapter 36, and by Layman, Vallet, Diana, Escobar, and others, as stated by Croix, op. cit.; because the sinner would already have sufficiently understood from the denial of the sacrament that he was not absolved, and therefore the seal would be violated; and confession would become odious, as Palafox

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himself later concedes. Furthermore, it is now certain from the decree of Innocent XI that in no way may a confessor use knowledge of the confession to the detriment of the penitent. See *De Paenitentia*, no. 658. And Croix rightly adds in his commentary: "If the confessor has other knowledge outside of confession, unless that knowledge is morally certain, he cannot deny the sacrament."

52. Question 2: Whether the sacrament should be denied to a sinner publicly requesting it, who is concealing something. If the petitioner is unworthy due to an irregularity or a canonical impediment, there is no doubt that he should be rejected; but if he is unworthy only because he is in mortal sin, Croix, op. cit., book 6, page 1, no. 146, doubts this, along with Henrich; and Lugo and others add that he cannot be rejected if he claims to have a right to it.

[*Latin ed. p. 263*]

These [offices or dignities] are obtained through reason of benefit or dignity. But I believe it is more truly said, as with Viva in *De Sacri Quietis*, r. art. 4, n. 5, that even one who is judged unworthy is entirely to be shielded [from advancement]. And this is also clearly taught by St. Thomas [Aquinas] in *Summa Theologica*, 3a, quaest. 36, art. 3, ad 3, where he says that it is not sufficient that a prelate is unaware that someone is to be ordained while in sin, but rather, it is also required that, according to the measure of the order, greater care be taken, so that certainty may be had concerning the quality of those being promoted. And in the response to that passage, it is memorably asserted: "It is better to have a few good ministers than many bad ones." The certain reason is this: he who intrudes into public offices for which he is not suitable ought to be repelled, even with infamy, for the good of the public is to be preferred to that of the individual. And that a cleric who is unworthy, even because of a hidden crime, can and ought to be repelled, is clear from the Council of Trent, where in session 14, cap. r. de reformatione, it is said that a bishop can prohibit a cleric from ascending to higher orders, and the cleric is bound to obey him, even if the ascent has been forbidden by his prelate for any reason, even extrajudicially, because of a hidden crime. And it is added that no license granted to be promoted against the will of the prelate will be valid. And it is especially to be noted that the bishop is not bound in such a case to manifest [the reason for the prohibition].

[*Latin ed. p. 264*]

The reason why he should be rejected from ordination, according to the declarations of the Sacred Council, published on March 24, 1634, and on April 21, 1668, which are extensively cited by the Supreme Pontiff Benedict XIV in *De Synodo*, book 7, chapter 71, paragraph 4. Furthermore, that a bishop not only can, but also ought to reject the unworthy, even if they

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are hidden, is clearly demonstrated by reason, from the Council of Trent, session 23, on reform, chapters 5 and 7, where it is explicitly commanded that the bishop who ordains should diligently investigate and examine the morals [of the candidates]. Therefore, for what purpose should a prelate investigate and examine the morals of clerics, if not in order to reject those whom he knows to be unworthy, as is stated in 1 Timothy 5:22: "Lay hands upon no man quickly." As Saint Leo says in his letter 1 to Africa: "What is it to lay hands upon a man quickly, if not before experience of discipline?" All the more so, because in receiving the orders, many defects might be present, from which, without shame, they might request to be rejected, namely, age, title, subjection, etc., as Croix rightly notes in *D.N.* 146, 53, question 3: "Can one who has contracted the habit of lust be absolved, and who, immediately after penance, desires to receive the subdiaconate, without experience of continence?" We have presented a complete discussion of this question, which you will find at the end of this doubt, number 63.

[*Latin ed. p. 265*]

54. Question 4: Whether a parish priest may assist at the marriage of those who are public sinners. It is held that a parish priest ought to refuse to assist at the marriage of those who are ignorant of Christian doctrine, as is evident from the Roman Ritual concerning marriage, at the beginning, where it is prescribed: "The parish priest shall ascertain whether each of the parties (the bride and groom) knows the fundamentals of the faith; and having ascertained this, he ought to teach them these things." Furthermore, the Sacred Congregation, having been consulted before Pope Innocent XII in the year 1697, as reported by the Supreme Pontiff Benedict XIV in *De Synodo*, book 7, chapter 29, decreed that parish priests ought not to proceed to the marriage ceremony unless they have found the contracting parties sufficiently instructed in the fundamentals of the faith; and this decree was confirmed by Pope Clement XI, as in his bullarium, page 326, and by our Pope Benedict in his encyclical; see in his bullarium, number 32. Whether, moreover, besides this ignorance, a parish priest may deny his assistance at a marriage to public sinners, if the contracting parties publicly requested it and were unworthy on account of sin or a hidden censure, Lugo rightly states in *Distinction* 8, section 13, and Croix in number 147, with the opinion that the parish priest ought to assist, according to the aforementioned number 47. It is doubtful whether he may and ought to assist if the contracting parties are publicly unworthy. Layman affirms this in *L. 5, tr. 20, p. 2, c. 4, n. 8*, as does Croix in the same place, and Lugo from number 205, with the opinion: provided, however, that the parish priest has first made an effort to prepare the parties.

[*Latin ed. p. 266*]

In order to validly contract marriage. The reason, as they say, is that

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the parish priest is not a minister of matrimony, but only a witness; therefore, on the one hand, since he is a public minister, he cannot deny his assistance; and on the other hand, he can lawfully assist, since his cooperation is merely material. However, others maintain that the parish priest is the true minister of matrimony. But this reason does not hold: for, as we will demonstrate below concerning marriage, number 89, the ministers of matrimony are the contracting parties themselves, and the parish priest is only a mere witness. Nevertheless, despite this, we do not agree with the first opinion, and we say that the parish priest is not obligated to assist in such a marriage, and cannot lawfully do so: and we are supported by the authority of the Most Holy Pontiff Benedict XIV, in the book *De Synodis*, book 7, chapter 29, who teaches thus: "Although, according to the more common and accepted opinion, the parish priest is not a minister of matrimony, nevertheless in many cases he is considered a minister, and he cannot lawfully confirm a contract which he knows to have been entered into by the contracting parties sacrilegiously." The reason for our opinion is, firstly, because by natural law, no one can cooperate in the sin of another, even if the other has already internally committed the sin, as we have said in the book on charity, book 2, number 47; thus, neither can the parish priest in our case; secondly, because the parish priest is obligated by justice, by the contract he entered into with the community from which he receives his salary.

[*Latin ed. p. 267*]

It pertains to the spiritual salvation of his flock to turn them away from sins. Nor is it valid to say that those contracting marriage have the right that their pastor should assist them. For, first, no one can have a right to demand an action in which sin is committed. Second, the betrothed have a right to the assistance of the pastor only insofar as the pastor is bound by his office to attend to their spiritual welfare; therefore, since the pastor's assistance in this case would not contribute to their welfare, but rather to their ruin, therefore neither the betrothed have a right, nor is the pastor bound to assist, but rather he ought to refuse such assistance, since his primary obligation is to prevent the sins of his flock. And what we say of the pastor, the same must be said of the witnesses; who, however, would be sufficiently excused from sin if they were compelled to assist under grave fear, since they are not bound except out of charity to prevent sin. Furthermore, the pastor may also be excused from avoiding death or other grave evils of the community or of the contracting parties themselves; for example, lest they persevere in sin. Moreover, pastors are sufficiently excused from guilt, as Layman states in *Decretum*, title 8, who assist at the marriages of heretics in places where there is custom and where heretics are mixed with Catholics, as will be said shortly in the following question. However, it is certain that pastors are bound by their office to

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attend marriages that are being contracted.

[*Latin ed. p. 268*]

One must inquire whether any impediment exists; and if it is judged that such an impediment probably exists, they are bound to deny their assistance and to prohibit the marriage, until at least the ordinary shall decide what is to be done. Thus, Sanchez de Matrimonio, book 3, chapter 14, paragraph 8; Croix, book 6, page 1, paragraph 147; and Lugo, book 8, paragraph 205, in common with Led., Vega, and others. Furthermore, Lugo states in the same place, with the Council of constantiense (contrary to others), that if the ordinary has knowledge of a hidden impediment, even if he could not prove it, he is bound to prohibit the marriage.

Question 5, article 5: Whether, if one of the betrothed is publicly unworthy, the other may enter into marriage with him, and consequently administer the sacrament to him. It must be noted that such unworthiness can arise from two sources: either from excommunication or from some mortal sin of the betrothed. If the betrothed is unworthy because he is excommunicated, he will either be avoided, and it is certainly illicit to contract marriage with him; because it is not permitted to communicate with him in a sacred matter, such as the sacrament; or he will be merely tolerated, and in that case, it is more probable that it is permissible, as Sanchez de Matrimonio, book 7, chapter 9, paragraph 8, and Lugo, book 8, paragraph 225, and many others teach, as you will see later in book 7, paragraph 139; because the Council of constantiense vaguely conceded that the faithful may communicate with tolerated excommunicates.

[*Latin ed. p. 269*]

If, however, the spouse is unworthy due to some sin, a great difficulty arises; for it is not permitted to the minister to confer the sacrament upon an unworthy person. But Bus. (see book 2, no. 60), Lugo no. 23, and Croix, book 6, page 1, no. 147, with Sanch., Perez, Arag., Dicast., and the common opinion, say that it is permissible to enter into a marriage with him, if the other spouse cannot, without serious inconvenience, withdraw from the marriage. The reason (as they say) is that, although the contracting parties, however indirectly, perfect the sacrament, nevertheless they directly enter into the contract, which in itself is not a sacred thing; hence, in this sacrament, the spouses seem to have more the condition of private contracting parties, who only consider their own advantage, than that of public ministers, who ought to attend to the fact that those receiving the sacraments are repelled by their unworthiness. I do not entirely reject this reasoning, but I confess that it does not entirely convince me.

56. Whether, with a just reason, it is permissible to enter into marriage with heretics; generally speaking, this is forbidden by the Church, as is evident from the Council of Chalcedon, apud Cabass. de concil. p. 221,

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where, in canon 14, they say: "Nor shall one be joined in marriage to a heretic, or a pagan, or a Jew, unless each of those who are joined to an orthodox person promises to convert to the orthodox faith." However, it is very probable that...

[*Latin ed. p. 270*]

Bus. de nuptiis, book 1, chapter 19, and Lugo, book 8, chapter 225, Wigand, tractate 16, Exodus 6, chapter 77, Croix, book 1, chapter 147, and book 2, chapter 95, and Sanchez, de matris, book 7, chapter 72, chapter 6, with Navar and Azor, namely that in places where heretics live mixed with Catholics, as in Germany, Poland, etc., it is licit, by received and tolerated custom, to enter into marriage with heretics, provided that: 1st, the Catholic party is permitted freely to remain in the faith; 2nd, there is no danger of perversion; 3rd, freedom is given to educate the children Catholicly; 4th, if it is not easily possible to find a suitable partner among Catholics. If one of these conditions is lacking, it will not be permitted, as Croix rightly says, book 1, chapter 95. Furthermore, this is well permitted, provided these conditions are observed; because such marriages are like other civil contracts, for strengthening the laws of friendship and for maintaining the common peace of the republic. Hence, Lugo, in the aforementioned passage, states that, for just causes, dispensations have been granted on several occasions to enter into marriage with heretics, as it is stated from the Council of Laodicea and Agde, and Clement VIII, in the year 1604, granted a dispensation to the Duke of Bari, so that he might marry Catherine, his relative, sister of Henry IV, King of the Gauls, even though she was still a heretic. And it is diligently to be noted here what the Supreme Pontiff Benedict XIV, in his work *De Synodo*, book 7, chapter 6, from Veracr, states concerning the power of the Pope, after this.

[*Latin ed. p. 271*]

To dispense [with such a marriage], to doubt is like sacrilege: for it would be as if one were to reproach Christ for not having sufficiently provided for His Church. However, Lugo, number 31, teaches that a dispensation is required for such a marriage, at least in places where it is customary to appeal to the Pope in such matters; because the Church has the right to reserve judgment as to whether the cause is sufficient or whether the danger of evil outweighs it. Nevertheless, it is probably not necessary for a dispensation, as he says in number 17, and as others say in Croix, book 2, number 97 (contrary to Sanch. and Pont.), when the heretical party seriously promises conversion, as we have seen above; indeed, it is even excepted in the Council of Chalcedon. Hurt, in Croix, seems to think that the hope of conversion arising from the person's own nature or from elsewhere is sufficient. But when it is licit for a Catholic to marry a heretic, all the more so will it be licit for a priest to assist at such a marriage.

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57. To complete this discussion, there remain other questions to be considered. Question 6: Is it permissible to use a probable opinion when administering the sacraments? It is certain, as we have seen in the consilia, book 1, number 29, that, generally speaking, it is illicit, according to proposition 1, condemned by Innocent IX. However, it is excepted if there is necessity on the part of the neighbor, as is common among the Doctors, according to the saying in number 480, when speaking of absolution to be given to a dying person, and the same is said of baptism, number 103, verse 3.

[*Latin ed. p. 272*]

Exception 2. It is permissible [to receive the sacrament] if there is a probable opinion regarding the jurisdiction of the confessor, or concerning the validity of the marriage, according to what was stated in law 1, number 50, and what will be said below concerning marriage, number 1113. And this, as Sanch., Cardinal, Spor., Dic., Gob., and others state apud Mazz. vol. 3, page 53, lines v., and Croix, book 6, page 1, number 117, is considered in practice to be safe and morally certain. Exception 3. It is permissible when the administration of the sacrament would be subject to excessive scruples or difficulties, as we stated elsewhere, citing Cardinal and Croix from D. Thom., and Mazz. states with them and with many others: otherwise, a child could not be baptized if the parents asserted that the child had not been baptized, since such testimony is only probably true; nor could those be absolved who are believed to be disposed, concerning whose disposition only a prudent probability can be held. Therefore, Mazz. rightly notes, with Cardinal, that if such a disposition were not sufficient, scarcely anyone could ever be absolved outside of the article of death; because scarcely ever can certainty be obtained concerning the disposition of the penitent. Whether it is permissible to receive the sacraments with only a probable opinion, see what was stated in law 1, numbers 51 and 58. Question 7. Whether and when the minister is obligated to administer the sacraments. It is commonly held, as Holzm. states, vol. 2, page 64, number 286, Salm. de euch. chapter 9, number 28, and Croix, book 6, page 1, number 132, with Suar., Lugo, Dic., and others.

[*Latin ed. p. 273*]

Against Silv. etc., it is argued that pastors are bound by justice, by reason of the stipend they demand, to administer the sacraments to their subjects who reasonably request them, even outside of grave necessity. However, pastors are considered superiors with respect to religious persons, and with respect to secular bishops and parish priests, or those who have a subsidiary charge with obligation; thus, Croix, ibid., with Gob. And therefore, a pastor sins who becomes irascible or difficult to his subjects, as Gob. with Croix, n. 134; Salm., n. 30; Council, vol. 8, p. 98, n. 3. Therefore, St. Charles Borromeo rightly warned [his clergy], as found in his acts, p. 4. Further-

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more, if a parish priest is called at any hour of the day or night to administer the sacraments to the sick, he will not delay; rather, he will warn the people so that, when there is need for the parish priest's administration, they may freely come forward, without regard for time or distance, etc. However, he will be excused from mortal sin if he denies the sacraments once or twice outside of necessity, because he does not seem to have obligated himself so strictly. Croix with Suar. and Arr., ibid.; again, Suar. apud Bus., infra n. 623, with Av., ibid., who makes an exception if the subject requests them due to an urgent occasion, e.g., a solemn feast day, etc. However, ministers who are not pastors are bound by charity, even at the risk of their lives, to administer the sacraments in extreme necessity, as the Council states, p. 99, n. 7, and Croix, Lig. Theol. Mor., vol. VIII.

[*Latin ed. p. 274*]

I. 2. a n. 174. and all others. Whether they are bound by grave necessity, see what is said about charity, I. 2, n. 27. See also. Whether a parish priest is bound to administer the Eucharist during a plague, see n. 233. How often he is bound to administer it, see n. 253 and 254. How often he is bound to administer absolution, see n. 623. 59. Q. 8. o, whether it is ever permissible to simulate the administration of a sacrament. Generally, Doctors distinguish between a formal and a material simulation: a formal simulation is one in which the intention is directly to deceive another; a material simulation is one in which the deception of another is only permitted. However, it was condemned by Innocent XI in proposition 29, which stated: "A grave fear is a cause for simulating the administration of a sacrament." And indeed, for such a simulation inflicts a grave injury upon the sacrament and mocks God. But the question arises whether only the formal simulation was condemned in this proposition, or whether the material simulation was also condemned. Some, such as Viva in his commentary on the proposition, n. 2, and the Council, vol. 8, p. 101, n. 12, say that both the formal and the material simulation were condemned there, because an indefinite proposition is equivalent to a universal one, and because (as they say) no Catholic has ever said that a formal simulation is permissible; but Sancius and others, whose opinion was condemned (according to Viva), maintained only that a material simulation is permissible. However, others, such as the Cardinal...

[*Latin ed. p. 275*]

In propositions 29 and Vidal, they state that formal and even material simulation in a sinful matter is condemned, but not material simulation in a matter that is indifferent. This question seems vain to me, because ultimately, all things converge to the same point; for, whether we speak of formal or material simulation in a sinful or indifferent matter, all agree that it is never licit: 1st, to pronounce the words of consecration over the bread or of absolution over the penitent without the intention of doing so; 2nd,

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to offer the host as if it were consecrated when it is not; 3rd, to celebrate Mass without pronouncing the words of consecration. Thus, Pal. tr. 2. d. 1. p. 13., Croix l. 6. p. 1. ex n. 154., Milante, Viva, and Vidal, in d. prop. 29. Furthermore, although the aforementioned proposition does not speak of any particular fear, it is also commonly held among Doctors that it is not licit to simulate the administration of the Sacrament, even out of fear of death. Conc. l. c., Croix n. 155., Card. n. 37., Viva n. 15, and Milante l. c. Conversely, all say that it is licit for a confessor to pray and give a crucifix to a penitent who is indisposed, so that his indisposition may not be revealed, even if others believe him to be receiving absolution; because, as the Cardinal says, on the one hand, the confessor is bound not to reveal the unworthiness of the penitent known in confession, according to the prescription in c. Omnis, de pœnit.

[*Latin ed. p. 276*]

Concerning those who are remiss, it is said: "But the confessor must be entirely careful not to reveal the penitent by word or sign, or in any other way whatsoever; on the other hand, this is not strictly a simulation of the administration of the sacrament, because those words are indifferent with respect to the sacrament." Alia, however, uses the reasoning of Viva and Milante, stating that this is permissible, because then the confessor lawfully conceals the truth, which he is neither obligated nor able to reveal. The Cardinal rightly observes, in number 54, that at that time the confessor should not intend to deceive those present, but only to conceal the truth; otherwise, he would not escape the guilt of lying, since, according to *D. Th. 2. 2. qu. 3. art. 1*, lying is committed not only by words, but also by deed. Whether it is permissible to say, under duress: "I do not absolve you," by saying the word "no" submissively, the Cardinal affirms in the dictionary, proposition 29, number 53; but Roncaglia, chapter 4, question 6, rule 2, and Milante and Viva in the same proposition, number 11, deny it. The reason is that, since the word "no" can never be perceived by those present, this would be a purely mental restriction, which is never permissible, according to L. 3, number 152. But this reason does not hold; because in so far as this concealment is not permissible in speech, it is because the speaker is obligated not to deceive the person with whom he is speaking, and must therefore express the words in such a way that the listener can perceive the truth.

[*Latin ed. p. 277*]

And therefore, in speech, the restriction is purely mental; but in the utterance of the form of the sacrament, the minister is not bound to pronounce the words in such a way that the recipient of the sacrament hears them. Therefore, it does not seem to be an obstacle if such concealment were a mental restriction; and for this reason, the first opinion does not seem to be

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to be disapproved. 60. For the same reason of irreverence, not only he who, while administering, but also he who pretends to receive the sacrament, would not be excused from a mortal sin, as Croix says there, n. 157, with Card. and Gorm. But this applies when there is a true simulation of the sacrament. Hence it follows, 1st, with Card. in the aforementioned proposition, 29, n. 73, and Croix n. 158, with Dic., Gorm., etc.: that if someone, unwilling to confess, enters the confessional and, kneeling, addresses the confessor about some matter, he does not simulate the sacrament nor does he sin with the sin of lying; because it is very commonly the case that some come to the confessional to ask for alms or to seek advice about scruples, and therefore that action is considered indifferent. Otherwise, says Card. n. 71, if someone were to come with the intention that those present should believe that he is confessing; then, he says, he would sin with the sin of lying and sacrilege. But as for the sin of sacrilege, I cannot agree with this doctrine: because when there is neither matter nor form, I do not understand where the simulation of the sacrament is.

[*Latin ed. p. 278*]

61. It is inferred, secondly, that in the case where someone is unable to prepare themselves for Holy Communion, they may sometimes converse with the priest, in order to avoid scandal or infamy, and in such a case, they may say only the words concerning themselves: "May the Body of Our Lord Jesus Christ preserve you," etc., and not offer the host, as Croix states in book 6, page 1, number 160, citing Moya, Leand., Henr., Dian., etc.; because in that case, the sacrament is truly not simulated. Otherwise, it should be said differently, if the priest offers a host that has not been consecrated, as taught by St. Thomas, Soto, Suarez, Vasquez, and others, with Croix, number 159, commonly, contrary to others. The reason is that, because in that case, even though the sacrament is not simulated, since it is not there, nevertheless, the bread is exposed for the adoration of those present and of the one receiving it, and just as that person would sin externally by worshipping an idol, even out of fear of death, so too they would always sin externally by worshipping an unconsecrated host, and they would sin more gravely than if they received Holy Communion unworthily, as is clear from chapter 7, "De homine," of the work "De cel. missae," where it is said that it is a more grievous sin for a priest to fail to consecrate during Mass than for one who sacrilegiously consecrates and communicates.

62. It is inferred, thirdly, that it is not illicit to simulate the celebration of marriage out of grave fear, as is taught with common consent by Sanchez, "De matr.," book 1, title 11, number 2; Palatinus, "Tractatus," 5, title 2, part 12; and the Council.

[*Latin ed. p. 279*]

15. This is also asserted by Cardinal [number] 79, [Viva, number] 12,

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[Croix, number] 162, along with [Henricus, Conciliarius, Arrhenius, Gormani, etc.] against [Milante]. The reason is that at that time, both the matter and the form of the sacrament are lacking, since there is a lack of voluntary consent; for the sacrament is not conferred except upon a true contract, which is not present at that time, since it is invalidated by Church law due to coercion. And in this case, he who would pretend to consent would also be excused from the lie, if those present could, from the circumstances, discern that he does not wish to contract; or in the case where they could not perceive this, the contracting party, by saying "I wish," would understand that he wishes, as far as is in his power, as noted by Scotus in the 4th distinction, 29. And for the same reason, Cardinal [number] 82 and [Sanchez, Hurtado, Dicet, and Gobinus] in Croix, book 4, say that one does not sin with the sin of sacrilege who contracts marriage knowing that he has a dispending impediment.

DISSERTATION ON A CLERIC HABITUATED TO A SHAMEFUL VICE, DESIRING IMMEDIATELY TO BE INITIATED INTO THE SACRAMENTS.

63. The question which I will explain below was recently greatly debated in Naples among learned men: I myself, in the book of notes on [Bus], treated this matter too concisely and almost in passing, in a certain place. But since then, I have more diligently observed that it is very useful and necessary that its true decision be confessed to confessors.

[*Latin ed. p. 280*]

It is desirable that they strive to maintain that opinion which they judge to be more advantageous for the good of the Church; therefore, I considered it worthwhile to carefully and thoroughly bring the matter back to first principles. The question, indeed, is this: whether absolute absolution should be denied to a cleric accustomed to secret sins of lust, who wishes to ascend to the sacred orders without a prior experience of continence. A certain modern and learned author, in a book published in Rome, entitled *Istruzione pei novelli confessori* (page 2, chapter 3, paragraph 63), writing on this point, wrote as follows: "Today, there is no direct law, either divine or human, that forbids ordination precisely because someone is accustomed to lust or to another hidden sin, unless he has incurred irregularity through voluntary homicide or another fault... But it can be doubted, according to the law of nature, inasmuch as continence is, by ecclesiastical law or by an implicit vow, attached to the sacred orders; therefore, the one being ordained, against the dictate of true prudence, wishes to assume a burden that he cannot bear, etc." It seems to us that, considering only the law of nature, one must proceed with distinction here; because if the one being ordained sincerely and in good conscience believes that he can live

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chastely and can...

[*Latin ed. p. 281*]

To rid himself of bad habits, and to do all that, in his judgment and that of a prudent confessor, he deems necessary and fitting for his amendment, he may proceed, and the confessor cannot forbid it to him. Then he adds (n. 66): And furthermore, we add that, since these [individuals] are not, as we suppose, indisposed for the sacrament of penance, nor, speaking precisely, are they for the sacrament of Holy Orders, which, to be received worthily, requires only the state of grace, and is, in itself, not an occasion of sin, but rather gives to the soul a new and distinct grace. However, he adds (n. 67): We say that one who wishes to advance to the sacred orders, and does not sincerely believe (as is said) that he can observe chastity in that state due to the bad habit of lust, cannot advance, and if he insists on doing so, he must be denied absolution, as to one who is unworthy and indisposed. Thus, the aforementioned author states. Others, on the contrary, seem to have spoken too harshly; for St. Alex. in his theological dogmatics and morals, volume 1, book 2, on the sacraments, chapter 5, article 14, rule 19, states: "No one shall be promoted to the sacred orders, unless he has lived innocently, or has washed away the hidden stains of his past life through long penance." Juen. also holds the same opinion in his treatise on the sacraments, dissertation 8, question.

[*Latin ed. p. 282*]

7. c. 2. The same [author], in *Hab. de sacr. ord.*, page 3, chapter 3, which requires great and prolonged care, states that not even one year is sufficient for such a trial. Van-Espen agrees, in volume 4, page 2, chapter 2, section 8, and in *Cont. Tourn.*, volume 3, page 535, saying that a cleric who is being considered for the diaconate should be tested for at least 20 or 18 months. He derives this from St. Gregory, in book 4, chapter 26, addressed to Januar, where he writes: "That those who are ordained may never perish, provision must be made regarding the quality of those who are ordained, so that their lives may first be examined over many years." He also cites Natalius Alexander, number 60, who states that confessors should prevent clerics who are given to luxury from advancing to higher ranks, or from serving in positions of responsibility.

However, among this variety of opinions, I have endeavored to examine the matter thoroughly with many Neapolitan theologians; and after long discussions, we have agreed on a two-part opinion, holding a middle course: namely, that both the present and ancient law of the Church, always consistent, binds both bishops and confessors, and those who are to be promoted, so that when a cleric, who is a recidivist or accustomed to vice of the flesh, desires to advance to the sacred order, or to the subdiaconate, or to the diaconate, or to the priesthood, even though he has sincerely

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converted to the Lord, and therefore...

[*Latin ed. p. 283*]

He may be immediately absolved, but he will not be able to receive Holy Orders unless he devotes some time to eradicating his bad habit. And if he persists in seeking Orders immediately, he is not considered disposed to absolution, because he violates the law of the Church in a serious matter. 2. However, there may be a case in which God grants the penitent such an extraordinary grace of compunction that he becomes so proven that he himself may immediately receive Holy Orders; and therefore, (if this is established to the confessor by valid conjectures), he may receive the benefit of absolution, without it first being confirmed by the experience of time.

65. The first part is proven, first, from the words of the Apostle, 1 Timothy 3: "It behoveth therefore a bishop to be blameless, the husband of one wife, sober, prudent, of good behaviour, chaste, given to hospitality, a teacher," and not a novice, etc. St. Gregory explains "blameless" by saying: "Vice in episcopo est non quam optimum esse." And St. Thomas says concerning "not a novice": "This refers to those who are not only novices in age, but also those who are novices in perfection." Furthermore, that by the name "bishops" all priests are understood, is asserted by St. Ambrose, St. John Chrysostom, and St. Thomas, as cited by Cornelius a Lapide.

66. It is also proven by the sacred canons. "From whose norm," says the Supreme Pontiff Benedict XIV.

[*Latin ed. p. 284*]

Speaking of this matter to the bishops, in the enclosure [lit. *enercl.*], where it is first stated, that which must be observed above all, lest you be led astray. Innocent III, in *decretalium* III, chapter *A multis*. Furthermore, concerning age and qualifications for ordination, he says: "Let the wicked be ashamed, and let them know that by the judgment of the Holy Spirit, those who are placed in the sacred orders, in the presbyterate, diaconate, and subdiaconate, if they have not lived chastely, are to be excluded from all the dignity of those orders." And again: "No one shall be admitted to the sacred order, unless he is either a virgin or of proven chastity." Also, in the letter 1 of Pope Siricius, chapter 9, it is stated that a subdeacon, if he has proven himself worthy, with the initial condition of continence, may proceed to the diaconate. Also, St. Gregory, in book 1, letter 42, prescribed: "No one should approach the ministry of the altar unless his chastity has been approved before the acceptance of the ministry." The same was decreed by the Council of Trent, in session 23, chapter 13, where it is stated: "Subdeacons and deacons shall be ordained, having a good testimony and having been proven in the lesser orders..., who hope, with God's help, to be able to remain continent." And although the words "proven in the lesser

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orders" are directly understood to refer to the external proof that the bishop must demand of the probity of the one being ordained, as I and others believe, it cannot be denied that the Council does not so much require external probity (which, in truth, without internal...)

[*Latin ed. p. 285*]

It would not be probity, but true hypocrisy and deceit, which is principally internal. But since the Church does not judge concerning hidden things, therefore it requires explicitly or directly only the external [manifestation], but it demands it as an indication of internal probity. And this is evident from the text of St. Paul, as related above, where the Apostle clearly distinguishes between external and internal probity, and requires both in priests, with these words: "Moreover, he must have a good testimony of them who are without: lest he fall into reproach and the snare of the devil." Therefore, St. Thomas, explaining this epistle of the Apostle, writes: "First, therefore, he shows what bishops ought to be, according to themselves; secondly, with regard to others." And therefore, the Council of Trent, in the same session, 23, chapter 12, says that only those whose life has been proven by old age should be promoted to the sacred orders. What this "old age of a proven life" is, is found in the Book of Wisdom, chapter 4, verse 9: "And a spotless life is old age." And for this reason, the Council, in chapter 11 of the same session, towards the end, prescribes intervals between the various degrees of orders, saying: "That in them, with the passage of time, merit and doctrine may increase." And from this, in the pontifical...

[*Latin ed. p. 286*]

The Bishop of Rome, when ordaining priests, speaking of those to be initiated into the priesthood, says: "That heavenly wisdom, good morals, and the diligent observance of justice are what commend those chosen for this purpose." Hence, Innocent XII, in his bull *Speculatores*, issued in the year 1694, speaking of the intervals for ordination, thus commands: "Before merit of labor, before the time of examination, before experience of discipline, the priestly honor should in no way be granted to the unapproved; nor should those who yesterday were sacrilegious, today be priests; nor those who yesterday were profane, today be ministers of sacred things; nor those who are old in vice, be made new in virtue; but rather, disciples and masters of piety should be created at the same time. But only those, according to the laws established by our predecessors, should be promoted to the dignity of the sacred administration who have been proven in their daily conversation among the clergy." And St. Jerome, in the same work, says: "Not only bishops, and presbyters, and deacons, ought greatly to provide that the entire people, to whom they preside, be led by them in word and in conversation, but also those of lower rank, and all who serve at the altar of the Lord." 67. This is proven by the third reason and the

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authority of the Doctors, because, for one to ascend to the dignity of the sacred order, not only a simple and actual state of grace is sufficient, but also excellent and habitual goodness is required. And therefore, a penitent who has recently emerged from a large number of habitual sins,

[*Latin ed. p. 287*]

Although converted, because he still remains weak, ensnared by bad habits, he will scarcely be capable of absolution, but not of the sacred order. For if anyone, being thus affected and not yet cleansed from the stain of vices, dares to ascend to the altar, unless he is first sufficiently proven by experience, he, as a rash person, is manifestly unworthy of sacramental absolution. Wherefore, Saint Bernard, in *De Converso Ad Clericos*, chapter 21, wrote: "No one ought to approach the service of the altar, unless his chastity has been approved before receiving the order." And it is to be noted that what is said concerning the vice of lust, the same must be said concerning any other vice, namely, drunkenness, avarice, blasphemy, hatred, etc. Furthermore, it is clear from the common consensus of the Saints and Doctors that simple sanctifying grace is not sufficient for receiving the sacred orders, but interior perfection is also required. And first of all, Saint Thomas [Aquinas], *Summa Theologica*, 2-2, question 184, article 6, speaking of the exercise of the sacred orders, says: "Although interior perfection is required for this, that someone may worthily exercise such acts." And in the same place, article 8, he says that a priest excels a religious in dignity: "because by the sacred order, someone is deputed to the most worthy ministries, by which Christ Himself is served in the sacrament of the altar, to which..."

[*Latin ed. p. 288*]

It requires (note) a greater interior sanctity than that which is required even by the state of religion. Likewise, in *Summa Theologica*, 1st Part, question 189, article 1, paragraphs 1 to 3, speaking of the integrity of clerics and monks, he says: "The sacred orders presuppose sanctity; but the state of religion is a certain exercise towards sanctity; hence, the weight of orders must be placed upon walls already dried by sanctity, but the weight of religion dries the walls, that is, men, from the moisture of vices." And the same author previously said, St. John Chrysostom, book 2, on the priesthood, chapter 5: "Integrity is much more necessary for this [the priesthood] than for that [the religious life]." Likewise, St. Thomas, in the *Supplement*, question 36, number 5, paragraphs 1 to 3, says: "At the very least (that is, not only at the very least, as the Glossary explains there), it is required that the one ordaining should know nothing contrary to sanctity, but it is required further that a more diligent care be applied according to the measure of the order or office, so that certainty may be had of the quality of those being promoted, at least from the testimony of others."

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And he confirms this with the testimony of St. Dionysius (in *De Divinis Nominibus*, question 36, article 1), who wrote: "In all things divine, it is not permissible for anyone to be made a leader for others, unless, according to his entire disposition, he has become most deiform and most similar to God." Moreover, what is taught by St. Thomas in the 3rd part of the *Supplement*, question 35, article 1, paragraphs 1 to 3, is more urgent, where he says: "For the proper execution of orders, any kind of goodness is not sufficient, but it is required..."

[*Latin ed. p. 289*]

Excellent goodness. It is not valid to say that this Saintly Doctor requires excellent goodness for the execution of orders, but not for their reception, because in the very reception, grace is conferred upon the recipient for worthily exercising the sacred ministry. For in the same place, the Angelic Doctor expressly requires the merit of sanctity, both positive, for the execution as well as for the reception of orders. To understand this, it must be observed that the Saintly Doctor intends to prove nothing other than that in the sacrament of orders, grace is certainly conferred, making one pleasing. Hence, he opposes this in the third objection: "No cause presupposes its effect; but in him who approaches the orders, grace is presupposed by which he becomes fit for the reception of the order: (This, however, is presupposed; we shall soon see that it is not denied, but approved and confirmed by the Saintly Doctor in his response.) Therefore, such grace is not conferred in the collation of orders." Thus far, the objection; then he responds: "To the third: it must be said that for the proper execution of orders, any goodness is not sufficient, but excellent goodness is required. For this, he gives the reason: Just as those who receive the order are constituted over the people by the degree of the order, so too, superiors must be meritorious in sanctity." Hence, confirming the presupposition of the objection, as we have said, that is, that...

[*Latin ed. p. 290*]

It is certainly required for the reception of the orders that there be a preceding grace, which renders pleasing or merits, as he states. And therefore, (note) a grace is required which suffices for that which would make one worthy to be numbered among the people of Christ. Thus, he concludes. But in the very reception of the order, a greater grace is conferred, through which one is made more apt to perform greater works. With these words, St. Thomas intends to demonstrate that the grace of the sacrament will not be useless, but will provide greater assistance to the recipient, so that he may render himself worthy to acquire greater merits; but he already presupposes and expresses that a grace is required in the recipient, which suffices to make him worthy to be numbered among the ministers of the altar. Therefore, just as any grace is not sufficient for the execution of the

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orders, so neither is it sufficient for the reception of them. Indeed, Hab. de ord. p. 3, c. 3, *in fine* rightly states that penance is instituted for the sick, therefore it ought to be conferred upon the sick; but the order, since it is instituted not for one's own salvation, but for that of others, ought to be conferred upon the healthy. The Gloss confirms this, saying: "Although in the one who ascends to the sacrament of orders, a pleasing grace is presupposed, according to the manner in which he may worthily receive the order; nevertheless, it is not presupposed according to that degree by which it is caused by the order received. For the one who ascends is sufficient."

[*Latin ed. p. 291*]

To be in grace is sufficient, but when one receives Holy Orders, that grace is increased. Note those words: "Although grace is presupposed, according to the manner in which one may worthily receive the order." Therefore, to receive Holy Orders, it is not enough to have only sanctifying grace, as some have understood this Gloss, but a certain degree of grace and merit is required, so that the one to be initiated may worthily ascend to it. And although the glossator adds there: "For one who is approaching is sufficient to be in grace," he certainly does not mean simple grace explained according to the manner, etc. 68. The same is stated by Soto in *4 Sententiae*, dist. 2, qu. 1, n. 3, where, speaking of the sacraments, he says that positive sanctity is necessary in the one being ordained, by divine precept. Indeed, his words are: "The first conclusion: although the integrity of morals is not of the essence of the sacrament, it is nevertheless most necessary by divine precept..." But what is defined here in the present article concerning the suitability of those who are to be initiated into the sacred orders, is not that general disposition which is required in one receiving any sacrament, lest the sacramental grace encounter an obstacle. It is also a certain actual preparation, but the definition pertains to the manner of habit (here, Soto means that the one to be promoted must be habitually good); for truly, concerning the sanctity of the order, a man does not only receive grace, but he is advanced to a higher...

[*Latin ed. p. 292*]

As one ascends to a higher rank, honesty of character and the brilliance of virtues are required. Saint Sanchez affirms this in *Confessionum*, chapter 1, paragraph 46, number 1: "For advancement to the orders, goodness of life is required; which is not to be understood of a general goodness; that is, that one should be free from mortal sin; for this is required for all sacraments: because, through the sacrament (of orders), a man ascends to a higher rank, honesty of character is required in him, namely, that he be sober, chaste, etc." The same is said by Salm in *De Sacram. Ord.*, chapter 5, paragraph 46: "For a person to be advanced to the orders, goodness of life is required, not only that which is required for the lawful reception of all sacraments,

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namely, that he be free from mortal guilt, but also that he be imbued with honest morals." Holzmüller adds, in *De Ord.*, number 96: "It is required that (the one to be ordained) shine with special probity of life; special, I say; for it is not sufficient for receiving the orders, a common probity which is required for receiving any sacraments, but a special probity is necessary from which it can be hoped that the one to be ordained will shine as a good example..." This special probity consists in a right intention of serving God in a special way, in a chaste and sober life, and in good conduct fitting for ordination. Therefore, it is clear that a cleric who wishes to ascend to the height of the altar must possess not only...

[*Latin ed. p. 293*]

He ought to be free from mortal sin, but moreover, he ought to possess habitual virtue to such an extent that he may merit that preparation corresponding to the grace conferred through the sacrament of Holy Orders, which is conferred either as a habit or in such a way that it perpetually grants its own particular helps to the ordained; it is also certain that he who has hitherto been accustomed to luxury, if he should offer even simple signs of penance, will indeed be capable of absolution, but will not, at the same time, be worthy of Holy Orders. For it is certainly a different and very distinct thing, simply to be in the state of grace, and to possess great virtue. Therefore, from all that has been said, it is concluded that it is a divine precept, and one which has always been guarded and promulgated by the Church, that he who, even if secretly, is relapsed or accustomed to vices, must, before receiving the Holy Orders, be proven by a suitable experience of chastity; otherwise, because of his grave presumption, and because he offends the law of the Church in a serious matter, the confessor will be obliged to deny absolution.

69. As for the second part, we do not believe that it should be denied that it can sometimes happen that a cleric, however accustomed and relapsed in the vice of the flesh, is granted by God such a grace of compunction that he is considered worthy to receive that degree of Holy Orders.

[*Latin ed. p. 294*]

He may immediately receive it; and therefore, at that time, he will be capable of obtaining absolution, even though he has not been proven worthy by a previous examination. Indeed, for such penitents, proof, both external and internal, as we have said, is necessarily required by the Church, but we do not necessarily require a period of time for this proof. Formerly, according to the ancient discipline of the Church, no one who, after receiving baptism, had committed a mortal sin was ever permitted to be raised to the orders, even if he had made worthy penance, as testified by St. Isidore, St. Hieron, and St. Martin, Pope I, in *Naturalis Alex.* Furthermore, those who, after receiving the order, had once committed a grave sin, remained

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perpetually suspended by that very fact, as St. Gregory wrote in book 4, letter 7. Later, however, after several centuries, only those who had suffered disgrace for some grave crime or had made public penance were excluded from the orders, according to what is read in the Council of Carthage, IV, canon 68, where it is written: "From among the penitents, even if their penance is good, a cleric shall not be ordained." Finally, from the 11th century, as Habert and Juvenal state, the severity of this discipline was relaxed, as is evident from chapter *Fraternitatis*, dist. 34; where Pope Pelagius, having been asked by the Florentine bishop whether he could confer the diaconate upon a cleric who, while married, had behaved dishonestly with his slave woman, replied:

[*Latin ed. p. 295*]

Pelagius: And although there are many things which the authority of the solemnity commands to be observed in such cases, nevertheless, because of the defects of our times; in which not only merits, but even bodies themselves have failed, that distinction cannot remain in force in all things: and it is recognized that the age of the person about whom we are speaking removes the suspicion of incontinence for the future, so that he may be advanced to the diaconate; and we know that, as has been said, the times, yielding to the defect, have conceded this. Furthermore, in c. Ex tenore, de temp. ordin., it is stated thus: "But, since you have said that his sin is hidden, we command that you impose upon him a suitable penance, and that you urge him to use the order received, having completed part of his penance; and that, being content with this, he should not advance further to the higher ranks. But, however, since the sin is hidden, if he wishes to be promoted, you must not, in any way, prevent him." However, it must be noted, as we have said in n. 52, that this canon was corrected in part by the Council of Trent, in chapter 5, session 14, concerning reforms, etc., where it is stated that bishops can rightly forbid those who are secretly guilty of sins, even those known outside of a judicial process, from being ordained. 70. Therefore, neither the precept of the Church nor the custom of the present discipline compels us to approve those solely by the length of time.

[*Latin ed. p. 296*]

Those who are to be promoted to the sacred orders, it will pertain to the prudent confessor to ascertain whether the penitent has been suitably proven and prepared, either through experience of time or by other means, to assume such a dignity. However, it can happen that God, whose judgments and mercies are wonderful, may grant such efficacious help of grace that the vehemence of compunction may compensate for the lack of experience of time. Indeed, the Doctor of the Church teaches that God sometimes removes the vestiges of sin successively through his cooperating grace, and

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sometimes immediately through a great disturbance, by which a man attains perfect spiritual health. This is taught in the 3rd part, question 76, article 5, ad 1, where, inquiring whether, after a mortal sin has been forgiven, all the vestiges of sin are removed, he presents to himself (in the 1st objection) the authority of St. Augustine in book 2, chapter 4, of *De Poenitentia*, who says: "Never did the Lord heal anyone whom He did not completely deliver; for He healed the whole man on the Sabbath, because He healed both the body from all infirmity and the soul from all contagion." To this, the Angelic Doctor responds: "Sometimes God so converts the heart of a man that he suddenly and perfectly attains spiritual health, not only with the sin forgiven, but with all the vestiges of sin removed; as is evident in the case of Mary Magdalene, Luke 7. Sometimes, however, He first remits the sin..."

[*Latin ed. p. 297*]

The grace that operates successively removes the vestiges of sin. Therefore, if the efficacy of divine grace is sufficient to remove all vestiges of sin, that is, the weakness of the soul caused by the wounds of sin; then, although evil habits are not removed in the sensitive powers, the mind can nevertheless acquire such strength through the power of grace that it can easily resist them. This is taught by the same St. Thomas, Supplement, question 30, article 1, ad 2, who says: "The vestiges of sin are not said to be dispositions left over from acts, which are certain habits begun, but rather a certain spiritual weakness existing in the very mind; and when this is removed, even if the same habits or dispositions remain, the mind cannot so easily be inclined to sin." Therefore, no one with such a habit will experience a necessity, which is required only so that the weakness of the soul contracted from evil habits may be healed and that it may easily resist evil dispositions, since the same thing is equally and more powerfully attained through the power of grace. As St. Cyprian rightly says: "Charity is matured not for the sake of the delay of time, but for the sake of the quickening of grace." 71. Indeed, it must not be denied that such extraordinary conversions do occur, nor frequently, even in the spiritual exercises that are usually preliminary to the sacred orders; for they are often compelled to attend such exercises in order to promote them. Therefore, another volume of Moral Theology, Volume VIII, N.

[*Latin ed. p. 298*]

The confessor must recognize extraordinary signs in his penitent, so that he may permit him to ascend to the sacred order. And although such extraordinary conversions happen rarely, there is no apparent reason why, in that case, a long period of probation should prove the penitent more fit to receive orders than a manifest sincerity of heart, a vehement contrition, and a will so firm, which, relying on divine assistance, especially those actual

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graces imparted by God in the sacrament of orders, not only proposes to amend himself, but also to employ all suitable means that may restrain concupiscence and render him worthy to approach the sacred mysteries; indeed, the penitent, from that singular gift of contrition, already earnestly and insistently begs chastity from God, and at the same time recognizes a notably diminished ardor of concupiscence within himself, so that he feels himself already prepared to maintain chastity. Therefore, he who, having restrained himself for some time, has endeavored to eradicate a vice, should be considered sufficiently proven; much more, however, should he be considered proven who, through a special grace of God, is manifestly moved by vehement contrition. The length of time is considered a sufficient proof because it is a sign of the firmness of the penitent's will; nevertheless, not...

[*Latin ed. p. 299*]

It rarely happens that someone, even for a long time, restrains himself from vices for the sake of the honor of this world (according to the words of St. Gregory); but the relapse of these is to be feared more than that of those who show such a grace of contrition, so that a prudent confessor may directly recognize that they have changed their will, from which he can rightly conceive a prudent and well-founded hope that, with the help of divine grace and the means which he himself proposes, he will preserve chastity, according to that which is said in the Council of Trent, chapter cited, 13: "They who hope, with God's help, to be able to restrain themselves." This is sufficiently confirmed both by the pontifical and by the Roman Catechism. In the pontifical, it is said that the bishop, addressing those who are to be initiated into the subdiaconate, says: "If until now you have been drunk, now be sober; if until now you have been dishonorable, now be chaste." Note the words "if until now," to signify that the Church does not exclude today those who may have been dishonorable up to the time of ordination, provided they have such a conversion of heart that it makes them worthy not only of the benefit of absolution, but also of the degree of holy orders, if they wish to ascend to it without a period of probation, according to what was written by St. Anselm in book i, epistle 56: "Neither with God is the office of anyone condemned because of a fault which He Himself forgives, nor with men."

[*Latin ed. p. 300*]

The dignity of the sacred order is diminished because of the person whose sin they do not acknowledge. 72. In the Roman Catechism, concerning the sacred orders, number 31, it is first stated that he who is to be initiated into the sacred orders must possess a great integrity of morals; then it is added that those bodily defects which, in the Old Law, excluded men from the service of the altar, are now, in the New Law of the Gospel,

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to be understood as referring to the vices of the soul, which repel men from receiving the sacred orders. And it must be diligently noted here that, among the bodily defects counted in the ancient law, the vice of chronic scabies was included, as it is written in Leviticus 21:22: "If he has a scab, etc."; which is commonly interpreted as referring to the vice of lust, as explained by Saint Hieron and Saint Gregory. Finally, the Catechism concludes that those who have been contaminated by such vices are, according to the present discipline of the Church, to be urged to diligently purify their consciences through the sacrament of penance, without any prescribed period of time being indicated. In the words of the Catechism: "Therefore, in him who is to be made a priest, the integrity of life and morals must be highly commended... And also, those bodily defects which, according to the Lord's command, excluded someone from the service of the altar in the law of the Gospel, refer to the vices of the soul."

[*Latin ed. p. 301*]

The principal vices must be transferred. Therefore, it must be noted that this holy custom is maintained in the Church, so that those who are to be initiated into the sacred mysteries may diligently strive to purify their conscience through the sacrament of penance. From this, it is clear that the catechism teaches that someone, even if subject to vices, can rightly benefit from the grace of absolution and thus receive the sacred orders, even without prior experience of time; it must be understood that, provided he is judged to be rightly disposed in other respects, he may ascend to such a dignity. Hence, even Juen. in the present question, although here he is a most ardent follower of rigorous opinions, elsewhere in his work *De Sacraments*, diss. 8, q. 7, c. 2, he states entirely that the necessity of a period of probation is required so that a cleric, stained by a shameful vice, may be permitted to ascend to the sacred orders; nevertheless, in his *Institutiones Theologicae*, vol. 6, p. 8, diss. 7, q. 5, at the end, speaking of someone habitually given to a shameful vice, or, as it were, correcting himself and acting more kindly, he says: "Indeed, since there are few rules that do not admit of exceptions, this matter must be entrusted to the prudence of a wise and learned director." 73. But you will say: 1st, That in order for someone to lawfully receive the sacred orders, not only external, but also internal divine vocation is required. But how can it be thought that someone is called by God who has been long bound by the vice of lust, unless...

[*Latin ed. p. 302*]

First, does he demonstrate the signs of a true vocation through a long period of penance and the practice of virtues? And how can a confessor impart absolution to one whom he does not recognize as having been called by God? Answer: There is no doubt that if anyone were to dare to approach the sacred order, knowing that he has not been called by God, he could not

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excuse himself from mortal guilt, both because of the grave presumption of intruding into the sanctuary against God's will, as the Apostle says: "Neither doth any man take the honour to himself, but he that is called by God, as Aaron was." Hebrews 5. , and also because of the certain danger of damnation to which he then exposes himself, as Abelly asserts in his excellent work entitled *Sacerdos Christi*, where in chapter 4, he says: "He who, without any consideration of divine vocation, would intrude himself into the priesthood, would undoubtedly place himself in open danger of salvation, that is, he would sin against the Holy Spirit; and from the Gospel, we learn that this sin is scarcely, or very rarely, forgiven." However, in order to be absolved from guilt, it is sufficient for him that he intends a good end and offers himself to the bishop to be tested, provided that he does not certainly know that he has never been called by God. Juini, in the cited book, *de sacram.*, dissertation 8, question 7, chapter 2, after proving the necessity of divine vocation, he says: "Although a cleric may offer himself to the bishop, from whom he may be tested, whether he ought to..."

[*Latin ed. p. 303*]

The higher orders are to be promoted. For, as he adds: He who presents himself for examination to determine whether he is worthy to be promoted to the higher orders, does not judge himself worthy of them, and therefore is not guilty of presumption. Therefore, the confessor cannot deny absolution to such a cleric who desires to receive the order, after having received his confession, unless he is certain that he lacks divine vocation. But how, in our case, can the confessor have this certainty? The sinful life led by his penitent does not, indeed, give him certainty that he was never called by God. Why could it not have happened that the Lord truly called him at some time, and that he, resisting with already prepared aids, responded poorly? Judas, without a doubt, was called by Christ the Lord to the apostolate: but how badly he disposed himself towards Him! Furthermore, why cannot it be considered that that extraordinary conversion which we suppose is a divine vocation, by which the penitent is, at the same time, given by God? Does not God call even repentant sinners to the priesthood? Therefore, it is concluded that, in the case we have supposed, the confessor, based on this head of lacking vocation, cannot deny absolution to his penitent, who has obtained the right to it strictly and rigorously through confession, given the circumstances as described above.

[*Latin ed. p. 304*]

Dices 2. Or, if the Church were to recognize that a cleric had lived up to that point so luxuriously, it would in no way admit him to the orders. But observe that if the Church were to recognize, along with its own prudence, the vehement compunction bestowed by God, in the manner in which we assert it, it would not reject him. 74. Dices 3. Or, a cleric who has been

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long immersed in a shameful vice, wishing to assume the subdiaconate, is exposed to the imminent danger of relapsing into the same sins and of increasing the guilt of sacrilege, since he imposes upon himself the vow of perpetual chastity, which, due to his corrupt habits, he will find it difficult to observe; therefore, he acts rashly and is unworthy of absolution, as Hab. 7, chapter, seems to suggest. But this objection, although it appears to have great force, is truly of no importance. We have said only that such a cleric, although capable of absolution if he does not wish to be ordained, cannot be absolved if he dares to assume the sacred order, unless he is proven by extraordinary compunction; as it is observed that, for receiving the sacred orders, the state of grace is not sufficient, but it is also necessary to have excellent virtue, which, through divine help, can be abundantly acquired by the penitent at the present time. Furthermore, if anyone else, accustomed to lasciviousness, but who has now...

[*Latin ed. p. 305*]

If a person, disposed to absolution, were to make a vow of chastity immediately, without experience, could the confessor immediately absolve him? Would the vow, in that case, not be for the better good? If it were not for the better good, it would indeed be null; but, as the Doctors commonly teach, as Spor. states in *de voto*, chapter 2, number 61, a vow of this kind, made by one accustomed to lust, is valid. La-Croix also says, *l. 3. p. 1. n. 48*, with Pal., Moya, and others, and he himself says that he does not dare to assert the contrary opinion. And this is clearly confirmed by D. Th. in his work, *opuscul. 17. cap. 5*, where, asking whether someone, after having led a long life in vices, can make vows of religion, he responds that it is not proper to impose great works upon men of weak virtue. However, (he adds), if those who have recently converted spontaneously wish to reach out for higher things, who would dare to prevent them?

75. Furthermore, if someone so accustomed were unwilling to marry, it should be said that he could not be absolved, even if disposed, because he would wish to remain in the proximate danger of relapsing. But who has ever asserted that marriage is a necessary remedy for controlling oneself? The Apostle wrote: "But if they do not contain themselves, let them marry. For it is better to marry than to be burnt." 1 Corinthians 7:9; but this is commonly understood by interpreters, unless someone is unwilling.

[*Latin ed. p. 306*]

Another means must be employed. Hence, the question arises among Doctors: whether a vow of marriage can be validly made in order to free oneself from the habit of incontinence. Some, as Lessius, *lib.* 2, *cap.* 40, *num.* 44; Palearius, *tom.* 3, *tract.* 15, *disp.* 1, *num.* 14; Soto, *lib.* 7, *quaest.* 1, *art.* 2, along with Fagius, Pradarus, etc., apud Salmeron, *de voto*, *cap.* 1, *num.* 40, declare that such a vow is entirely invalid,

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because it is never for a better good, such as celibacy. Others, as Sanchez, *decis.*, *lib.* 4, *cap.* 8, *num.* 53; Bellarmine, *lib.* 2, *de monachis*, *cap.* 14, *in fine*; Bonaventure, Navarrius, and many others, commonly with Salmeron, *locus citatus*, *num.* 41 and 42, assert that such a vow is only valid when the one making it does not wish to, or cannot, use other means. The same is stated by Spotorius, *de voto*, *num.* 61 and 62, saying that only he is bound by such a vow who does not wish to employ another remedy. The same asserts, as a certain Layman, *lib.* 1, *tract.* 4, *cap.* 2, *num.* 12, with these words: "Secondly, it must be said, with Lessius and Contenson, that such a binding vow is valid, according to the hypothesis, if one perseveres in such a state of sin and does not employ an effective means to correct oneself, which, with God's grace, is possible; so that such a person should be considered as not being able to make another vow, except that at least this remedy (which is marriage) is applied to his sins, if he has not employed something better, which is continence; and therefore, if he demonstrates a firm purpose and effort, he is released from the vow."

[*Latin ed. p. 307*]

You will say: But a layperson who is unwilling to marry at that time remains nevertheless free, so that he may be able to marry later, if he wishes; not so the subdeacon after having received the order. Objection: But if that layperson firmly resolved never to be bound by marriage, but to use other means, would it be permissible to deny him absolution for this reason?

76. You say: In the fourth place, Gregory teaches in his *Pastoral* (p. 1): No one should approach the sacred mysteries unless he has been cleansed. Therefore, Juvenal, in *De Sacraments*, in the aforementioned passage, says that those who have not yet purged their sins through worthy works of penance cannot be promoted to the sacred orders. But the objection is raised, citing St. Thomas, who in *Summa Theologica*, 2-2, question 185, article 2, when considering whether it is permissible to entirely refuse an assigned bishopric, responds in the second objection (in which he cites the aforementioned words of St. Gregory) that if an impediment cannot be removed by the subject, then he is not bound to obey; because no one is bound to obey anything that is illicit; but otherwise, if the impediment can be removed by himself, for example, if he has an intention to sin that he can abandon. Therefore, the Angelic Doctor posits that it is permissible for someone to approach the sacred mysteries, to accept the bishopric, or even the sacred orders (as is added there), even if he has not yet been cleansed of his sins; provided that, as is to be supposed, he has been inwardly approved for receiving such offices; otherwise, it must be said that...

[*Latin ed. p. 308*]

As stated above, it is neither possible nor required to obey. For it is one thing for someone not to have been absolved, and another thing for some-

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one not to have been approved. Regarding this matter, notwithstanding all the aforementioned points, it must be entirely held that, in order for a cleric burdened with vices to be absolved, and even if he wishes immediately, without any delay for testing, to proceed to the sacred orders, he must be manifestly endowed by God with such extraordinary compunction that he may be shown to be sufficiently approved for the sublimity of so great a dignity.

77. Furthermore, it must be noted that the confessor ought to strive with all his effort to persuade that such an extraordinary compunction (as mentioned above) should be the reason for delaying the reception of orders, so that he may present himself as more thoroughly cleansed from his past sins through some notable delay for testing. Indeed, I add that it is more prudent and fitting that, even if he is contrite and, through the compunction experienced, is sufficiently disposed not only for absolution, but also for receiving the order, nevertheless, even if he does not consent, absolution should be delayed, so that he may be more firmly proven through the test of time. However, I make an exception, if he were to be exposed to a notable or imminent danger of infamy through this delay in ordination; for in this case, I would think, with La-Croix, l. 6, p. 2.

[*Latin ed. p. 309*]

1764. The confessor cannot postpone the benefit of absolution to a penitent who is properly disposed; because, once the confession is completed, that person has the right not only to absolution, but to receive it immediately. Furthermore, I confess that great caution must be exercised in absolving such clerics who scarcely emerge from the den of vices and yet aspire to the ministry of the altar; for it is certain that the unfortunate outcome of these men is frequently deplored, not without great detriment to the Church and ruin of the people.

CHAPTER III. CONCERNING THE ONE RECEIVING THE SACRAMENT.

FIRST DOUBT. WHAT DISPOSITION IS REQUIRED IN THE ONE RECEIVING THE SACRAMENT, FOR ITS VALIDITY?

78. See what is found in Bus.

79. Is only a traveling man capable of receiving the sacraments?

80. No intention is required in children and in those who are perpetually insane, with regard to Baptism, Confirmation, and Holy Orders.

81. What intention is required in adults? Is a neutral intention sufficient? Is a habitual intention sufficient? What about those who are sleeping, intoxicated, or have fallen into madness?

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82. Is an interpretative intention sufficient?

[*Latin ed. p. 310*]

78. "In responsione: Ad valorem sacramenti in adultis, qui rationem utuntur, intentio recipendi sacramentum, interpretativa saltem, requiritur et sufficit (excepta poenitentia, de qua infra). Sic omnes theologi, cum S. Th., contra Caj., qui putat in suscipiente nullam intentionem requiri, modo contrariam non habeat. Ratio responsionis est, quia sicut adultus non justificatur sine proprio consensu, ita nec per sacramentum initiatur et consecratur Deo sine eodem consensu, si ejus sit capax. Bon. d. i. q. 6. p. 2. "Dixi adultis etc.; quia cum tantum requirantur conditiones juxta subjecti capacitatem, parvuli autem et perpetuo amentes non sint capaces propriæ intentionis, sufficit illis intentio Christi et ecclesiæ. Fill. t. i. c. 8. "Unde resolves: 1.º Parvuli, uti et perpetuo amentes, valide baptizantur, confirmantur, communicantur, ordinantur; quod ultimum nefas esset, priora autem olim permittebantur. Bon. l. c. "2.º Egris ratione jam privatis recte datur unctio, non tantum si ante petierint, sed etiam si fuerint catholici neque constet esse in mortali: nam hoc ipso censentur interpretative voluisse et petiisse quod alii christiani, etiamsi de ea nunquam audierint."

[*Latin ed. p. 311*]

From Lugo concerning the Sacraments, in general, question 122, and concerning common matters, number 3: "A Sacrament is invalid: 1st, if someone receives it with a neutral intention, having a negative disposition towards it; 2nd, if it is received hypocritically, that is, simulated, but not if it is received hypocritically, that is, indisposedly; 3rd, if it is received solely by force, with the mind entirely repelling it. Bonaventure, in his commentaries, chapter 4: "A Sacrament is valid: 1st, if the one who receives it desires what Christians receive, even if he does not believe or does not will the Sacrament itself; 2nd, if someone receives it under compulsion by fear, provided that the fear does not eliminate the voluntary act. However, a marriage begun under grave fear, for example, of unjust death, is considered invalid, as taught by Sanchez, book 4, on marriage, chapters 12 and 14, and by Lugo, general question number 135. And someone who has received Holy Orders under grave compulsion, even if he bears the character, is not bound to continence and may, without causing scandal, marry, as I will explain in its proper place. (See what is to be said concerning the Sacraments of Holy Orders, number 811.)"

"79. Above all, it must be noted here: 1st, that only a human being is capable of receiving the Sacraments, because only a human being is capable of receiving the first grace or its increase; thus, generally, Suarez and others, contrary to Bernard of Tournai, in his *Praelectiones Theologicae*, volume 6, page 237, who affirms this. It must be noted 2nd, that the reception of

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Baptism is absolutely necessary for the valid reception of the other Sacraments. This is certain among all."

[*Latin ed. p. 312*]

V. Lugo, De Sacramentis, Disp. 1, n. 1; Croix, n. 165. The reason is this: the sacraments were instituted solely for the Church, and through baptism alone are men made members of the body of the Church, as defined by Eugenius IV in the decree of faith addressed to the Armenians. Therefore, the marriage of the unfaithful is not a sacrament, and for this reason it is dissoluble, as noted by Sanch. de Matrim., lib. 2, title 8, and Croix, loc. cit., with common consent, from cap. 7, de divort. See also what is said concerning marriage, n. 955 and following. 80. Furthermore, several things must be noted concerning the intention required in those who receive the sacraments. In infants, no intention is required, since the intention of Christ or of the Church suffices for them; just as, without their own will, they contracted sin, so also they are freed from it without their will. This is certain, as stated in D. Th., 3a, quaest. 68, art. 9, and is a matter of faith defined by the Council of Trent, Session 7, on the sacraments, canon 15, where it is said: "If anyone should say that children, because they do not have the act of believing, are not to be considered among the faithful after receiving baptism, and therefore, when they reach the age of discretion, they are to be rebaptized, or that their baptism is to be considered invalid because they were baptized not with their own act of faith, but in the faith of the Church alone, let him be anathema." The same must be said concerning those who are perpetually insane, as taught by St. Thomas, loc. cit., article 12, ad 1. And what is said concerning baptism, the same must be said concerning the sacrament of Confirmation.

[*Latin ed. p. 313*]

As Psalm 131 says concerning confession, chapter 3, number 26, with the common opinion of Doctors; likewise, concerning the sacrament of Holy Orders conferred upon infants (or those perpetually bound to chastity), as Lugo rightly says, *De Generatione*, number 112. And this is certain today from the bull *Inter sollicitas*, issued by our Most Holy Father Benedict XIV on May 4th, in the year 1745 (see in the collection of bulls, volume 4, page 2, page 128), where, after it is declared in paragraph 20 that this has been defined with the common consent of theologians and canonists, then it is prescribed in paragraph 27 that these infants, once they have reached the age of discretion, are not bound to chastity; moreover, the Pope, citing from the Council of Toledo II, chapter *De iis*, Dist. 28, orders that in the eighteenth year, they be given the option, and if they wish to maintain chastity, they may be admitted to the exercise of the order; otherwise, if they do not wish. And in paragraph 40, it is added that these individuals, after reaching the age of discretion, are invalidly bound in marriage and

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are obligated to fulfill their divine office.

81. In adults, however, the intention of receiving the sacrament is certainly required. The reason is that, as the Doctor [Thomas Aquinas] teaches in *Summa Theologica*, question 68, article 7, speaking of baptism: "For that a man may die to his former life, it is required in one who has the use of free will, the will by which he repents of his former life; thus, it is required the will by which he intends a new life." But Cajetan, in the aforementioned work, *Summa Theologica*, states that, in the one receiving baptism, a neutral intention suffices, namely, that he does not...

[*Latin ed. p. 314*]

It should neither consent nor dissent; but this opinion is commonly reprobated by Doctors, as by Lugo, dated the 9th, from number 117; by Petroc., volume 3, page 87; by Salm., *de sac.*, chapter 8, number 7; and especially by the Most Holy Pope Benedict XIV, in the instruction concerning baptism beginning with the last month (see in the *bullarium*, volume 2, number 46). And this opinion is indeed contrary to the doctrine expressly stated by the Doctor above. The same must be said concerning baptism, as regards other sacraments, with Lugo and others. It is also certain among all that an actual or virtual intention is not required in the recipient of the sacraments, but that a habitual intention suffices, that is, one that has been held at some time and not retracted. Thus, Lugo, *de sacr.*, book 9, number 105; Wig., *tr.* 11, example 4, number 26, reason 4; Petroc., volume 3, page 91; Antoine, *de sacr.*, chapter 3, question 1, reason 2; Suar., 3, page, dispute 14, section 2; Holzm., volume 2, page 8, number 38; Spor., volume 3, page 22; Ronc., chapter 5, question 2, reason 2; Elb., volume 3, page 25, number 56; and the same is taught by the Most Holy Pope Benedict XIV, in the aforementioned instruction, number 46, in common with others. And this is proven by the universal practice of the Church, which does not repeat the sacraments of baptism and ordination in those who receive them, unless a prior intention is present. And this holds true for all sacraments, except for penance and marriage, as we will explain below. Whether, however, the sacraments are validly conferred...

[*Latin ed. p. 315*]

While those who are asleep, intoxicated, or have fallen into madness, who previously had the intention of receiving [the sacrament], are denied [communion] by Roncatius, *locus citatus*, because, as he says, it cannot be presumed that they had the intention of receiving the sacrament at that time, but only according to Christian custom and rite. However, it is commonly and more probably affirmed by Lugo, *decretum 4, n. 119*; Palearius, *de baptismo, disputatio unica, p. 7, n. 2*; Salmeron, *ibidem, titulus, cap. 6, n. 43*; and with him, Henricus, Graffius, Anglica, and Croix, *liber 6, p. 1, n. 176*; and with them, Gobinus, Avila, Diana, and others. The

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reason is that for the validity of the sacrament, it is not required that the recipient act in a human manner and according to usual custom, but it is sufficient that he himself be a capable subject, as is truly the case with one who previously had the intention of receiving the sacrament. This is confirmed by the authority of Innocent III, in *capitula Majora, §. Verum, de baptismo* (cited by Lugo, *locus citatus*), who, after saying that those who are asleep and mad do not receive the sacrament if they have a contrary will, adds: "Otherwise, if they had the intention of being baptized; then, therefore, the sacramental character is imprinted by the action." And the same opinion is held by His Holiness Benedict XIV, in the cited instruction, n. 46. Furthermore, Suarez rightly points out, *selectae, pars 2, disputatio 24, sect. 1*, and Salmeron, *locus citatus, n. 4*, that it is illicit to confer sacraments upon them, unless in probable danger of death, or unless when the impediment of the use of reason is considered perpetual; otherwise.

[*Latin ed. p. 316*]

One must wait until the recipient is in a state of sound reason. This is expressly taught by St. Thomas in the 4th Distinct, 6th Question, 11th Article, 2nd and 3rd sections, where he says: "But if there is no necessity, one must wait for a lucid interval in the insane, or for wakefulness in the sleeping. If, however, he is baptized in that state, the sacrament is received, even if the baptizer is sinning."

It is also sufficient for the recipient to have an interpretative intention (namely, one which has never actually been present, but is presumed to be present by the recipient, if he were of sound reason) in receiving the sacrament of Extreme Unction, as Lugo states in chapter 9, paragraph 127; Wigand in his *Tractatus*, 11th section, example 4, paragraph 62, rule 4; Elbing in volume 3, page 17, paragraph 158; Roncaglia in *De Sacramentis*, chapter 5, question 2, rule 2; Sporea in volume 3, page 23, paragraph 154; and Croix in volume 6, page 1, paragraph 172, with common consent; and this is proven from the Roman Ritual for Extreme Unction, where it is stated: "This sacrament must be administered to those who have lost the use of their senses and who have previously requested it, or who would likely (note) have requested it." And if, perhaps, the sick person, deprived of the use of his senses, is in the act of mortal sin, it is probable, as Viva states in *De Sacramentis*, question 1, article 7, paragraph 6, that at least under this condition, Extreme Unction should be administered to him, as we shall also say regarding the sacrament of Penance, number 480. Thus, even through an interpretative or general will, the sacrament of Confirmation can be conferred upon a dying person deprived of the use of his senses.

[*Latin ed. p. 317*]

As Lugo states in *Decretum Generale*, n. 132; in *Sponsale*, loc. cit., n. 154; Elbing in *Disputationes de Pontificio Sacramento*, p. 17; and Croix in

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Tractatus de Matrimonio, lib. 6, p. 1, n. 169, along with Councils, Decrees, and Bernabé against Escobar, lib. 8, n. 55. And the same is said concerning the sacrament of the Eucharist by Lugo in *Decretum Generale*, n. 126; in *Sponsale*, loc. cit.; and by Croix with Suarez, Councils, Avellán, Bernabé, etc. However, the sacraments of Baptism and Holy Orders are indeed conferred, albeit invalidly, upon those who have only an interpretative intention; for without expressed will, no one should be subject to the obligations of ecclesiastical laws and the clerical state. Thus, Lugo generally states in *Decretum Generale*, n. 119 and 127; and Viva in *De Sacramento*, quaest. 1, art. 7, n. 3 and 5, along with Suarez, etc. Nevertheless, Croix in *Tractatus de Matrimonio*, lib. 6, p. 1, n. 168, citing Councils, Suarez, and others, holds that an implicit intention, contained in contrition or attrition, is sufficient for receiving Baptism. Suarez and others contradict this. But Lugo rightly states in n. 129 that the first opinion can only apply to an unbeliever who has always, and with invincible reason, ignored true faith. However, for the sacrament of Penance, neither an interpretative nor a habitual intention is sufficient; but an actual intention, or at least a virtual one, is required, because, for the matter of the sacrament, the acts of the penitent are required, which cannot indeed be had without at least a virtual will to receive the sacrament; and this must be held.

[*Latin ed. p. 318*]

At least in practice, according to what is said concerning the sacraments of penance, doubt 2, number 448. Regarding the sacrament of matrimony, it is certainly not sufficient to have an interpretative intention; but some maintain that a habitual intention is sometimes sufficient, as Holzm. volume 2, page 8, number 36, and Croix, book 6, page 1, number 154, state, along with Spor, Dic, Arr., etc. And Croix states that a case can occur when marriage is celebrated through a procurator; because if the procurator contracts the marriage while the principal is asleep, the marriage is perfected with the intention of the principal, which can only be called a habitual intention. But Lugo, book 6, number 134, rightly states that in marriage, a virtual intention is always required; because each spouse is not only a recipient, but also a minister of the sacrament, and in each of them, that intention is certainly required, which is similar to the intention required of ministers of other sacraments, as we have said in numbers 16 and 18. In the aforementioned case of the procurator, Lugo correctly states, number 139, that that intention is more properly called virtual than habitual, since the procurator contracts the marriage by virtue of a mandate or consent given by the principal.

SECOND DOUBT. WHAT IS REQUIRED IN ORDER TO RECEIVE THE SACRAMENTS LICITLY AND FRUITFULLY?

83. What is required of those who receive the sacraments of the dead, and what is required of the living?

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84. Can the viaticum ever be administered by a deacon, or can a priest who is not fasting celebrate?

[*Latin ed. p. 319*]

85. Whether those who are more disposed may receive a greater fruit. Whether those who are ignorant that the Host is consecrated may validly receive it.

86. More things to be noted concerning the one who receives the Sacraments with mortal or venial sin.

87. Whether all the Sacraments cause grace, after the removal of sin.

88. Whether it is permissible to request a Sacrament from an excommunicated minister.

89. Whether it is permissible to request a Sacrament from a minister who is a sinner.

83. *Reference.* For the effect of Baptism and Penance, faith, hope, and contrition are required, in addition to the will to receive the Sacrament, but charity is not required, in order that grace may be received (see points 13g and 44o); because these Sacraments are said to be of the dead, which themselves give the first grace, or life. For the other Sacraments, which are said to be of the living, it is required that one be in the state of grace (but note here the propositions condemned by Alexander VIII, namely proposition 22, which stated: "Those are to be judged sacrilegious who claim the right to receive Communion before they have made worthy amends for their sins," and proposition 23: "Similarly, those who do not yet have the love of God, which is pure and free from all mixture, are to be excluded from Holy Communion"); because these do not confer the first grace, but only a second grace, that is, only an increase of grace, although subsequently through...

[*Latin ed. p. 320*]

Accidental circumstances can lead to error when someone in good faith believes they are free from mortal sin. Layman's Moral Theology, Book 7, Question 6, Paragraph 2. Number 84. This is indeed probable, as stated in Volume 5 of the Summa Theologica, number 87. Therefore, it is rightly said by Gonet, Henry, and Tournhem (see below, number 257) that a layperson can administer the viaticum to a dying person if a priest is absent who can absolve him, and that a priest can celebrate the Eucharist even without fasting to administer the viaticum to a dying person who has lost his senses and cannot confess, as stated in Viva, Question 1, Article 5, number 6, unless the person has received sacramental absolution. See below, number 286. Number 85. 1. Those who are equally disposed receive an equal grace; those who are more disposed receive a greater effect of the sacrament, besides the character, because it is fitting that the sacraments should be instituted in such a way that a greater grace is given according to the disposition of

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the subject; and it does not seem that one who offers vehement contrition for baptism or penance is entirely without fruit. 2. He who receives the host, unaware that it has been consecrated, and who, like another animal, takes it without the intention of receiving the sacrament, indeed receives materially the thing that is the sacrament, but not sacramentally, and not with its proper effect. (Thus, St. Thomas, Part 3, Question 80, Article 3, ad 3, with Lugo, Suarez, and Croix, Book 6, Paragraph 1, number 175, against Arriaga and Dicena, whose...)

[*Latin ed. p. 321*]

Croix calls that opinion "undeservedly probable." Bonaventure teaches the same concerning the one who receives the sacrament out of hunger: this should be understood, if it is done solely for that reason; for it does not seem that the priest is deprived of the fruit of the sacrament, even if, while about to drink the chalice, he also intends to quench his thirst. See Bonaventure, *loc. cit.*, no. 30.

Note 1st: For baptism, an act of faith and hope is required, at least virtually, as all teach, along with Suarez, *locus* 6, part 1, no. 187. Also, an act of contrition or attrition is held to be necessary, as Salm teaches with D. Th. (see below, no. 139), if the one being baptized has a grave sin, as is clear from the Council of Trent, Session 14, chapter 1. However, for the Eucharist, confession and absolution from all mortal sins must precede, according to a special precept. Whether, for the other sacraments, it suffices to offer only contrition is commonly affirmed, along with Lugo, book 8, section 9, Laym., Vasquez, Croix, no. 190, and others, against Marsilius and Adrian. See the aforementioned note, no. 34.

Note 2nd: It is certainly a grave sin to receive a sacrament in a state of mortal sin; and it is a graver sin than to administer or perform the sacrament unworthily, as Croix teaches, no. 193, along with Dic. and others. Whether, however, it is permissible in any case to receive a sacrament in a state of mortal sin, Suarez seems to deny in *de euch.*, book 66, section 1, when speaking of receiving Holy Communion; but it is more commonly affirmed by Henricus, *Lig. Theol. Mor.*, Volume VIII.

[*Latin ed. p. 322*]

Av. and Bosco, in *ad Croix*, book 6, page 1, number 194. And this, for a most rare case, does not seem improbable, namely, if the consecrated Host were to be profaned by heretics and others, and because of that sudden intrusion, it could not be so quickly destroyed, then it seems that it could be taken without sin, although without effect; for then it would not be taken as a sacrament, but only concealed in one's body, as in a wall, to protect it from injury, as Lugo says in *de sacr.*, book 1, chapter 15, number 3; Croix, book 6, page 2, number 514; Tamb., in *de comm.*, book 1, number 76; and Diana, page 5, line 13, paragraph 74, with Vasquez, Hurtado, and Ochavalia. Lugo,

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with Vasquez and Croix, number 517, with Hurtado, Ochavalia, Diana, and Leander, say the same concerning a layperson reclining in the bench of the communicants who remembers a mortal sin. See the aforementioned numbers 33 and 87.

Question 1: Whether the sacraments validly, but with a pretense, revive, once the obstacle is removed. By the term "pretense" here, is not meant that which renders the sacrament null, such as a defect of intention, but rather that with which the sacrament is validly received, namely, when someone approaches without the required disposition for the sacrament. Concerning the sacrament of baptism (with the exception of Scotus and a few others), all commonly affirm this, as Petroc. says, volume 3, page 99, question 6; the Council, volume 8, page 185, number 11; and Lugo, in *de sacr.*

[*Latin ed. p. 323*]

d. g. ex n. 22., Tourn. in prælect. theol. & 7. p. 193. concl. 1. et aliis ex D. Th. 3. p. q. 96. a. 10., ubi loquens de gratia baptismi sic ait: "Impeditur autem quandoque per fictionem; unde oportet quod, remota ea per poenitentiam, baptismus statim consequatur suum effectum." Et prius id docuit S. Aug. lib. de bapt. contra donatist. c. 12., ubi dixit: "In illo qui fictus (ad baptismum) accesserat tunc valere incipiet cum illa fictio veraci confessione recesserit." Ratio quia peccatum ante baptismum vel in ipsa perceptione baptismi consummatum non subjicitur ecclesiæ clavibus; unde necesse est remitti per solam virtutem baptismi, qui, sublato obice, habet effectum prius suspensum ratione fictionis. An autem ad hunc effectum obtinendum requiratur in suscipiente contritio, negant Suar. 3. part. d. 28. sect. 5. concl. 1. et Lug. n. 53. cum Conc. et commun. (contra Vasq.) dicuntque sufficere attritionem. V. dicenda n. 139. Idem quod de baptismo dicunt etiam de sacramento poenitentiæ (casu quo fieret confessio valida sed informis, juxta dicenda n. 441.) Lugo dict. d. g. ex n. 100., Salm. de sacr. c. 5. n. 53. (contra Petroc. p. 112.) ex S. Th. in 4. d. 17. q. 3. a. 4. q. 1., qui loquens de poenitente qui fecerit confessionem validam, sed informem, dicit: "Quamvis tunc non..."

[*Latin ed. p. 324*]

He will perceive the fruit of absolution, yet, when the illusion departs, he will begin to perceive it; just as it is also in other sacraments. The reason (as Lugo says) is that if this [illusion] is destroyed afterward, the sin is already forgiven, and it is forgiven without it being subjected directly to the keys. The same is said by Lugo, n. 103, and Suarez, d. 63, s. 8, Croix, n. 199, with Palud, Silv, and the Council of Salm, on the sacraments, c. 5, n. 67, (against Soto, Hurtado, Bosco, and Bernal, as found in Croix, loc. cit.) concerning the sacraments that imprint a character, such as Confirmation and Holy Orders; because, since these sacraments cannot be repeated, it

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seems consonant with divine goodness that those who receive them should not be left destitute of the sacramental grace, which is so beneficial to the confirmed in resisting temptations and to the ordained in performing their clerical duties; and Petrocchi, vol. 3, p. 115, says that this opinion has a very solid foundation. The same is said by Escobedo, lib. 8, n. 182, Croix, n. 202, Salm, in the place cited, with Palud, Arr, Caj, etc., and Lugo, n. 105, with Suarez and the Council on the sacrament of Extreme Unction and on marriage; because (as they say) it also seems fitting that, since Extreme Unction cannot be repeated at the same moment of death, nor marriage, while the same spouse lives, the faithful should not be deprived of the grace of the sacrament. Lugo, n. 108, Croix, n. 200, with Suarez, the Council, Fill, etc., generally, say the same.

[*Latin ed. p. 325*]

Contrary to others, they deny this concerning the Eucharist, which, from its institution, can frequently be repeated; therefore, it was not necessary to attribute such efficacy to this sacrament in order to assist the frailty of men. Conversely, in this sacrament, it would be absurd that a priest who had, in his life, often committed sacrilege, if, at death, he were considered to have sincere contrition, would receive the entire accumulation of graces from so many sacrilegious Communions; indeed, the more frequently he had celebrated it unworthily, the more abundantly he would be enriched with graces. However, Croix, number 200, along with Scotus, Palearius, etc., state that if someone receives Communion and removes an obstacle before the species of the Eucharist are consumed, he will not be deprived of the grace of the sacrament. However, if the recipient of the sacrament commits a venial or actual sin, see concerning the Eucharist, number 257, 88, Question 2, concerning whether it is permissible to request the sacraments from an unworthy minister. Here, it is necessary to distinguish between a minister who is unworthy due to some censure or disability, and a minister who is unworthy due to mortal sin. Answer: 1. If the minister is unworthy due to a censure, etc., and is not tolerated, that is, if he is excommunicated, to be avoided, or publicly and specifically suspended, and is irregular by sentence (cf. Croix, book 6, part 1, number 210), certainly it is not permissible to request the sacraments from him unless in extreme or very serious necessity; in which case, all say it is permissible.

[*Latin ed. p. 326*]

To receive baptism and penance, as Suarez, 3rd part, dist. 11, sect. 1, no. 6; Contra Tourn. 4th part, page 37; Antoine de sacr., chap. 2, question 13; Bonaventure, de excomm., doubt 10, question 1, part 1, section 3; Grotius, book 6, part 1, no. 209; and Salmeron, de sacr., chap. 8, no. 18, with Suarez, Grancisco, Cornelius, etc., following St. Augustine, book 1, on baptism, chap. 11. Similarly, they say concerning the sacrament of the

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Eucharist: Navarrus, chap. 22, no. 4; Suarez, in the aforementioned place, no. 17; Bonaventure, in the aforementioned place; Viva, de sacr., question 1, article 8, no. 10, with Soto and Salmeron, no. 22, with Cornelius; and Nunnus (contrary to Suarez, Avila, etc.), and Tournus agrees on page 37, from chap. "Quod in te," concerning penance and remission, where Innocent III, although he denies extreme unction to the dying during a general interdict, nevertheless does not deny penance, as a viaticum. The same opinion is held concerning the sacrament of extreme unction by Escobar, Henry, and Dionysius, as cited by Grotius, no. 209, because such a sacrament can, by accident, cause grace; but Suarez, Bonaventure, Elburgius, vol. 3, part 69, no. 67, and also Conciles, Fillius, Avila, and Cornelius, as cited by Salmeron, no. 23, do not admit this, unless the sick person is unable to receive another sacrament. Similarly, Suarez, in the aforementioned place, and Cornelius, as cited by Salmeron, no. 4, say that it is permissible to receive the sacrament of orders from an excommunicated bishop, when he is the only one present in a remote province, and such an ordination would be beneficial to the community.

[*Latin ed. p. 327*]

They say, having spoken of the sacrament of matrimony, that in the case where it would be necessary either for the spiritual salvation of the dying person or for the great temporal benefit of the children, and no other minister is present, [the question arises]. But whether an excommunicated person, to be avoided, can validly administer the sacrament of penance in extreme necessity, this must be denied. Volume V, number 560. Response 2.

If, however, the minister is an excommunicated or suspended person, tolerated [in his office], the question is among the Doctors whether it is permissible to request the sacraments from him without a grave reason. Some deny it; but it is truer to affirm it, because the Council of constantiense absolutely conceded to the faithful communion with tolerated [persons]. Volume V, cited number 55, and to be said of censures, number 150, 8g. Response 3.

But when the minister is unworthy because of a mortal sin, the Doctor [Thomas Aquinas] in 3rd part, question 64, article 6, in the second place, seems to indistinctly concede that the sacraments can be received from a hidden sinner, saying: As long as [the minister] is tolerated by the Church in his ministry, he who receives the sacrament from him does not partake in his sin. And the same is found in the chapter "Vestra q.," concerning the cohabitation of clerics, etc., where it is said: Without doubt, you must hold that it is permissible to receive from clerics and priests, although they are fornicators, as long as they are tolerated and do not have evident works [of their sin, that is, as the Glossary explains, when they themselves are not

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condemned or confessed in law].

[*Latin ed. p. 328*]

The divine mysteries should be heard, and other ecclesiastical sacraments received. However, it must be understood that this applies only to excusing [one] from violating the prohibition of the Church; otherwise, a reasonable cause is always required for receiving the sacrament from a sinner, according to what is stated in *l. 2, n. 47 and 49*. Indeed, elsewhere, the same Doctor of Theology teaches in *4. d. 24, q. 1, a. 3, q. 5, ad 3*, where he says: "Besides the article of necessity, it would not be safe for [one] to induce him [the pastor] to perform any act of his order, while that [person] is in mortal sin." By "necessity," Contenson rightly explains in *Tourn. t. 4, p. 39, v*. However, it must be understood here as moral necessity; hence, a cause of grave utility is probably sufficient for excusing [one], as is commonly taught by Suarez, *part. 3, d. 18, sect. 1*; Sanchez, *de matr. l. 7, d. 9, n. 8*; Palotti, *t. 3, tr. 18, d. 7, p. 15, n. 3*; Viva, *q. 1, art. 7, n. 10*; Croix, *lib. 7, p. 1, n. 211*; Mazzola, *t. 3, pag. 68*; Tolosa, *lib. r. c. 88*; Fillon, *tr. 1, cap. 8, q. 6*; Escobar, *lib. 8, n. 312*; Anacleto, *pag. 533, n. 56*; Holzmeister, *t. 2, p. 16, n. 84*; Elbing, *t. 3, p. 18, n. 63*, citing Scotus in *4. d. 5, q. 2, §*; Quantum, *Spor. t. 3, p. 27, n. 179*; Bonaventure, *d. 1, q. 6, p. 5, n. 1*, with Concina, Vallauri, Reginaldo, Henricus, and Salmeron, *de sac. cap. 8, n. 34*, with Lehmkuhl, Nannini, and the common opinion, as they assert.

[*Latin ed. p. 329*]

Hence, some Doctors maintain that the sacraments may licitly be received from a sinful minister in the following cases: 1st, if the precept of Confession or Communion is urgent, as Suarez states in the cited passage, Council of Trent, Session 8, paragraph 105, number 9, and Escobar, book 8, number 316, with Vasquez, etc.; 2nd, if the delay in receiving the sacrament threatens the danger of falling into sin. Tournhem, volume 4, page 38; 3rd, if one must fulfill the precept of attending Mass. Suarez, in the cited passage, with the Council and Soto, apud Escobar, number 314 (cf. the aforementioned section 3, number 331); 4th, if, otherwise, one must remain for a long time in a state of mortal sin and cannot approach another confessor; thus, Tournhem, in the cited passage. However, Suarez and Antoine, in *De Sacraments*, chapter 2, question 13, number 2, excuse from all guilt those who, being in a state of mortal sin, do not wish to wait even for an hour; for there is no small benefit in being freed from sin as soon as possible. 5th, if one must be deprived (at least for a long time) of Communion, as Suarez and Escobar state, number 319. And the same applies if one must be deprived of the fruit of Confession, even if one is not in a state of mortal sin. However, Croix, number 211, denies that the reason for not being deprived of the fruit of one sacrament is

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sufficient. But Suarez and Escobar, number 516, affirm that this is the case if the minister is a parish priest or is otherwise available, and if there is no other worthy minister. 6th, if otherwise, one cannot obtain spiritual consolation. Tournhem and Croix, in the cited passages. 7th, if one needs an experienced director and does not have another available. Tournhem, ibid. Moreover (Spor, volume 3, page 27, number 179 adds), one should wait for another for a long time.

[*Latin ed. p. 330*]

8. If you wish to offer the Mass for a deceased friend, as stated in *Spiritual Exercises*, chapter [omitted]. However, Cajetan, in the third part, question 64, article 6, section 2, states that it is absolutely licit to request the sacraments from one's own parish priest without any grave cause; but this is more accurately denied by the Council, page 103, number 7, and by Salm, number 58, along with Navarrus, Soto, Bonaventure, and Leander, if you can easily approach another. Similarly, the Council and Antoine, in two books, chapter 115, state that it is not licit to request the sacraments from a heretic or schismatic, unless in a case of extreme or very grave necessity. But concerning a heretic, see number 560. Whether it is a mortal sin, without a grave cause, to request the sacraments from an unworthy minister, is denied by Soto, Navarrus, Sahagún, and Dian, among others, as cited by Salm, chapter 8, number 42. But Salm rightly affirms, as do Silvestro, Molinaro, Valentia, and Aragona, in the same place, according to the statements in law 2, chapter 47 and 79, that this exception applies only to one who receives the Eucharist from an unworthy priest who is actually administering it to others; as stated by Suarez, in the aforementioned work, and by Escobar, number 319, according to the opinion presented in number 35, above. Therefore, it seems to me that it is also illicit, without a grave cause, to serve a priest who is celebrating Mass and is unworthy, contrary to Suarez, in the aforementioned work, Bonaventure, number 7, and Salm, number 41, along with others who permit this, when the priest can easily find another. It is certain that any minister...

[*Latin ed. p. 331*]

It is presumed that [the penitent] is worthy, unless the contrary is established, as commonly taught by the Council, volume 8, page 103, number 4; Tournhem, volume 4, page 36, note 1, from the words of the Apostle in 1 Corinthians 13: "Charity thinketh no evil"; Elbing, ibid., page 18, number 62, and Croix, book 6, page 1, number 216, with Avila, Dicena, and others commonly. Hence, it can probably be inferred that even one who is known to have sinned somewhat recently can still petition for the sacrament; because it is presumed that he has already prepared himself, at least through contrition: thus Suarez, part 18, section 1, in fine; Bona, point 5, number 6; Croix, number 215; Mazzella, page 69, with Spotorno, Salmeron, chapter

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8, number 40, with Vasquez, Concina, Sayr, Rega, Dicena, and others commonly; and Tournhem, page 36, note 1, states: "Indeed, even if I know that he has recently and gravely sinned; nevertheless, I will prudently presume that, especially if he spontaneously offers himself for the administration of the sacraments, he has done so in order to reconcile himself with God. Certainly (says St. Thomas in the 4th Distinct, 24th Question, 1st Article, 3rd Question, 5th Article, ad 3), because in the instant, a man is amended by divine grace." However, this is rightly limited by Suarez and Bona, and others commonly, if it is established that the minister is accustomed to this, or is in the immediate occasion of sinning (meaning voluntarily). Secondly, Gobius, apud Croix, book 6, number 216, limits it, if the minister has not made a confession after the sin, before celebrating Mass.

[*Latin ed. p. 332*]

CHAPTER IV. WHAT THE SACRAMENTALS ARE, AND BY WHAT MEANS THEY EFFECT THEIR PURPOSE.

90. What the sacramentals are, and what they are.

91. Whether the sacramentals derive their efficacy from the action performed.

92. How sins are remitted through the sacramentals.

93. Further points to be noted.

94. Concerning the use of holy water, blessed water, and similar things.

90. *Response.* 1st. The ecclesiastical ceremonies commonly called sacramentals are external acts of religion adapted to the worship of God. These are commonly called the Our Father, holy water, the eating of the blessed crumbs, formerly in use, the general confession, almsgiving, the blessing given by a bishop or abbot, which, according to ancient tradition, are said to remit venial sins. These are contained in the verse: "Praying, sprinkled, eating, confessed, giving, blessed." To which are also added the tonsure of the head, the anointing of kings, and similar things; also many other ceremonies and sacred things themselves, which in the Church have been partly transmitted by the Apostles, and partly instituted afterwards, such as exorcisms, incantations, the first tonsure, blessings and consecrations of various things and persons.

[*Latin ed. p. 333*]

"As the Church, vestments, etc., even herbs, the lamina, wine of St. John, wax candles, the sign of the Holy Cross, possess efficacy. Therefore, what power do they have, not from the work of the one performing the action (since it is certain, just as with other pious works, that through these also we merit), but from the action itself." 91. "Answer: 2. They do not have the power, by their own nature, to confer grace or to remit sins, but only insofar as they excite a pious movement within us. The reason for the former is that nowhere is a promise of grace or the remission of sins found to be given

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to them, and that even venial sins are not remitted without the infusion of grace, which these things have no power to confer by themselves. The reason for the latter is that this is fitting for the institution and consecration of sacramentals, which are performed through the prayers of the Church, by which the Church prays for us to receive such movements." Council, question 71, article 3. 92. "Therefore, how are venial sins remitted through sacramentals? The first opinion, in agreement with Soto, Valen, Led, Vict., etc., as found in Croix, book 6, part 1, number 221, states that sacramentals, by the institution of the Church, have the power to remit venial sins by the action itself; because sacramentals always remit venial sins, even if they do not always excite a pious movement within us. The second opinion, however, which is more common and truer, is found in Tournhem, volume 4, page 266, and Wigand."

[*Latin ed. p. 334*]

13. Examination, Question 2, Number 25; Summa Theologica, Lugdunum; Snellius; Busaeus; Croix, *loco citato*; *Viva de Sacris*, Question 1, Article 8, Number 7 and following; all maintain that venial sins are not remitted through the sacraments by the very act itself, but only because through them a pious movement of sorrow or charity is excited within us, through which the venial sins are remitted. And the same is expressly taught in *Doctor Thomae*, Part 3, Question 87, Article 3, where it is said: "All these things cause the remission of venial sins, either implicitly or explicitly." Therefore, it is advisable for all the faithful, after receiving the blessed water, etc., to stir themselves up to an act of sorrow or love.

93. 1st. Prevenient graces and pious movements are conferred through the sacraments, by way of supplication, which do not have an entirely infallible effect.

2nd. He sins gravely who supplies false matter to the sacraments, such as urine in place of the lustral water.

3rd. The sacraments sometimes work corporal benefits, e.g., healing, by way of supplication, through the prayers of the Church. Indeed, some even have power (e.g., to drive away a demon) by way of an effect produced by a special privilege, as Henricus teaches in Book 1, Chapter 2, and others. For they say that even pagans, in whom neither the prayers of the Church have intervened nor the merit of those who perform the actions, are sometimes freed from demons by the sign of the cross (which some also believe is due to the name of Jesus).

[*Latin ed. p. 335*]

It is said that these things are efficacious; however, others attribute their efficacy to an objective virtue, as if it were natural. More on this can be found in the Scholastic commentary, Volume 10, section 1, number 94. Among the sacramental objects are the blessed candles made of wax by the

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Pope. Regarding these, it should be noted: 1st: It is forbidden, under pain of excommunication, to melt them down or paint them, as Azorius states in *Apologia pro Cruce*, book 6, page 1, number 224. 2nd: To sell them at a higher price, because they are blessed, is unjust and constitutes simony. However, it is permissible to sell them according to their material value, as Sanchin, Dian, and Croix correctly state in the aforementioned passage, contrary to Azorius. 3rd: Although Gobius and others say that it is a venial sin for laypersons to touch them without any necessity, it is more probable that there is no sin at all, according to the usage of our times, as Sanchin, Dian, and others state in Croix, number 225. Gretser believes that it is illicit to throw bones of blessed lambs or blessed eggs to dogs; but this should be denied, following Cajetan and Croix, number 227. Similarly, it is permissible to use blessed water and candles for profane uses, as Croix states in the aforementioned passage, along with Tamburrini, contrary to others. However, missals and sacred books, as well as sacred images, should not be used for profane purposes; the opposite is true for other papers on which sacred names are incidentally and accessarily written. Thus, Croix states in number 228, along with Gobius.

[*Latin ed. p. 336*]

TREATISE SECOND ON BAPTISM AND CONFIRMATION.
CHAPTER I. ON BAPTISM.

95. How baptism is distinguished.

96. On baptism by water.

97. On baptism of blood.

98. Whether, in order for martyrdom to remit sin, contrition or charity is required in the sinner.

99. When martyrdom confers grace.

100. Whether there are martyrs who die while serving those infected with the plague.

101. Whether it is permissible to offer oneself for martyrdom; or to betray oneself as a Catholic by abstaining from meat.

95. "Here, we are not speaking of baptism of blood, that is, martyrdom, nor of fire or spirit, that is, contrition with a desire for baptism or a desire for baptism, because these are not sacraments; but of baptism by water, which is defined as the external washing of the body performed under the prescribed form of words. Baptism, therefore, from the Greek word which signifies washing or immersion in water, is distinguished into baptism by water, by fire, and by blood.

96. We will speak below of baptism by water, which is very probably in agreement with St. Thomas [Summa Theologica] 3, part. q. 66, art. 2;

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Salmeron [De Baptismo] chap. i, no. 25.

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The *Magisterium*, the *Sententia* [of theologians], the *Summa*, [and] Vasquez, etc., all agree that the institution of this sacrament precedes the Passion of our Lord Jesus Christ, at the time when Christ was baptized by John. Baptism *per ignem* is a perfect conversion to God through contrition or love of God above all things, with an explicit or implicit vow, and it substitutes for the true baptismal font (according to the Council of Trent, Session 14, chapter 4), insofar as it remits sin, but not insofar as it impresses a character, nor insofar as it removes all guilt of punishment. It is called *per ignem* because it is performed by the impulse of the Holy Spirit, who is called the "flame." Thus, Viva, *de bapt.*, question 2, article 1, number 2; Salmeron, chapter 1, number 2, with Suarez, Vasquez, Valois, Croix, book 6, page 1, number 244, and others. Regarding faith, it is also true that people can be saved through baptism *per ignem*, as stated in the Apostolic Canons, concerning unbaptized priests, and in the Council of Trent, Session 6, chapter 4, where it is said that no one can be saved without the laver of regeneration or its equivalent. See Petrocchi, page 142, question 6, number 97. True baptism of blood, however, is the shedding of blood, or death, endured for the sake of the faith, or for some other Christian virtue, as taught by St. Thomas, 2-2, question 124, article 5; Viva, *l.c.*, number 2; Croix, book 6, page 1, number 232, with Avila, Gobius, etc. This baptism of blood is equivalent to true baptism, because, as if by a work performed in imitation of baptism, it remits sin and punishment. It is called "quasi" [as if] because martyrdom is not so strictly...

[*Latin ed. p. 338*]

It operates like the sacraments, but through a certain privilege, by reason of the imitation of the passion of Christ, as Bellarmine, Suarez, Soto, Cajetan, and others teach, as found in Croix, number 258, and frequently in Petroc., 4.3, chapter 2, question 3. Therefore, martyrdom also benefits infants, since the Church venerates the Holy Innocents as true martyrs. Hence, Suarez teaches well, along with others, as found in Croix, number 252, and this is at least a temerarious opinion. However, in adults, acceptance of martyrdom is required, at least habitually, for a supernatural reason. Concil., Cajetan, Suarez, Bonaventure, and Croix, number 231, against Viva, number 5, who requires no acceptance whatsoever. It is clear that martyrdom is not a sacrament; because martyrdom is not an action instituted by Christ; and therefore, neither was the baptism of John a sacrament, which did not sanctify the person, but only prepared him for the coming of Christ. Viva, in the aforementioned place, number 3, 98. The question remains, however, whether, in order for martyrdom to remit guilt and punishment, contrition or love of God above all things is required in the sinner,

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or whether attrition suffices. It is certain that some penance is required for the remission of guilt, according to the Council of Trent, session 14, chapter 4. To this question, Wigand, in his *Tractatus*, 11, example 5, number 75, and Concil., 1.8, page 151, number 10, and Viva, *Disputationes*, question 2, article 1, number 4, respond, along with Bellarmine, Cajetan, Palearius, Lessius, and others, as found in Croix, book 6, page 1, number 238 and 259, that attrition is sufficient for martyrdom, just as...

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It suffices for baptism; for they say that martyrdom obtains a privilege, as we have said, through imitation of the passion of Christ. However, it is more probable that contrition or the love of God above all things is required, as taught by St. Bonaventure, Scotus, and others, as found in Croix and Petroc, volume 3, page 134, question 3, from St. Thomas, 3rd part, question 66, article 12, ad 2, where he says: "The shedding of blood has no reason of baptism, if it be without charity." And this is proven from the Apostle, 1 Corinthians 13:3: "And if I should distribute all my goods to feed the poor, and if I should deliver my body to be burned, and have not charity, it profiteth me nothing." Nor does undergoing martyrdom always imply having perfect charity; for one might wish to die rather than commit a new sin, out of fear of hell. Furthermore, even these adversaries acknowledge that it is always necessary for a sinner to strive for contrition or confession before martyrdom, lest he be exposed to the danger of damnation. 99. Question 2. Whether martyrdom ever confers grace: whether in the moment of death or of a lethal wound. It is probable, with Suarez, Bonaventure, and others, as well as Viva, article 1, number 6, that grace is conferred when the martyr receives a lethal wound or torment, even if he does not afterward miraculously die: and thus, truly, was the blessed John, who was cast into a vat of boiling oil, and the Queen of Martyrs, the blessed Virgin Mary, who stood near the cross of Jesus. The reason is that at that time, death is already received in the cause.

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100. Note 1. Concerning those who die for the sake of obedience to pestilential regulations out of charity, the Martyrology states (Rome, February 28): "Those whom religious faith is accustomed to venerate as martyrs. And they hold them to be true martyrs," as affirmed by twelve academies, thirteen cardinals, and more than three hundred Fathers, against Hurt and others. See Croix, *Liber Sextus*, page 1, number 236.

101. Note 2. It is illicit, without divine inspiration or without the danger of scandal, to rashly expose oneself to martyrdom, as commonly taught by St. Thomas, Navarrus, Sanchinius, and Dicælius, etc., as Croix notes in number 241; because this would be a certain temptation of God, and because man is not the master of his own life. See the aforementioned pas-

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sage, book 3, number 32. Hence, Laym writes in book 3, treatise 3, page 3, chapter 1, number 6, and Gobius, quoted by Croix in the same place, that one would sin who, on a Friday, would manifest himself as a Catholic by abstaining from meat, with the danger of death; because in that case, the ecclesiastical precept of abstaining from meat ceases, and the natural precept of preserving one's own life is urged.

FIRST DOUBT. WHAT IS THE MATTER OF BAPTISM?

102. What is the remote matter of baptism? See the response in Bus.

103. 1. What is certainly valid matter?

104. 2. What is certainly invalid matter?

105. 3. What is doubtful matter?

106. In necessity, is it permissible to use even a slightly probable opinion regarding the matter?

107. Doubt 1. Is water, produced by art, an apt matter?

[*Latin ed. p. 341*]

Concerning the matter of baptism: 2. a. Whether saliva, urine, or tears are sufficient. 3. a. Whether running water from a spring is sufficient. 4. a. Whether unmelted snow is sufficient. 105. What is the proximate matter for baptism? See response in Bus. 106. Questions: 1. a. Is baptism valid if someone leads a child into a river? What if he baptizes with water flowing from a roof? Is it permissible, in necessity, to throw a child into a river in order that he may be baptized? And is it permissible to baptize with harmful water? 107. 2. a. Can an infant, in necessity, be baptized in the womb of his mother? What if a child is baptized only on the head, which emerges from the womb? 3. a. Is baptism valid if the water touches only the garments or the hair? 4. a. Is baptism valid if it is conferred on the shoulders or the chest? 5. a. Is a triple immersion required? 6. a. Is one or the other drop of water sufficient for baptism? 102. Response: The remote matter is consecrated water, if it can be obtained; otherwise, any and every element of water is valid, which, in the moral estimation of men, is natural and usual, such as water from a well, the sea, a marsh, or rain, and also water melted from snow, hail, or ice, even if, accidentally, it has been altered in heat, taste, or odor, such as sulfurous water, lye, or a broth so thinly made from meat, or water so moderately mixed with another substance that it retains the common use and estimation of water. The reason for the response is from John 3:5: "Unless a man be born again of water."

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etc. Which St. Thomas confirms with a threefold congruity: 1. It is the greatest convenience of water; 2. Its easiest use; 3. Its suitability for signifying the effect, which is purification from sin. "Therefore, it is resolved: 1st.

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That inept matter for baptism is saliva, lye, tears, sweat, beer; also water so mixed that it is no longer fit for ablution and is not called water, e.g., mud, broth, diluted wine; also artificial waters extracted from roses, herbs, and juices; finally, snow, hail, and ice that has not melted. The reason is because, in the moral estimation of men, it is not considered natural and usual water. Layman, book 5, treatise 2, chapter 3; Bonaventure, book 2, question 2, paragraph 1. 2nd. Because, concerning certain things, there is doubt, either from what is said or from other considerations, e.g., concerning weak beer and beer; lye (and, according to Gratian, in book 3, part 1, title 4, canon 1, doubt 2, rose water), hence, in necessity, it is permissible to use them, although afterwards baptism may be repeated under the condition. See Escobar, Layman, Bonaventure, books and chapters. 3rd. To use impure or unblessed water, when another is available, is a grave sin, due to the irreverence of the sacrament: Bonaventure, book 1, chapter 1, paragraph 7; Diana, part 9, tome 6, rule 3, and others. Gratian and Quintillian think that it is not a mortal sin to use unblessed water: (Speaking generally, the omission of blessed water is mortal, unless...)

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They say [Tourn. i. 4, p. 288; Ronc. cap. 2, qu. 2], together with Cabr., and Diana, and Salm. cap. 1, n. 14, together with Conc., Bon., and Pal., from the decree *de baptismo* against certain individuals. Concerning private baptism, Croix says n. 263, together with Pasq., Gob., and Quint., that blessed water is not required; but Tourn. in the aforementioned passage asserts that baptism, which must still be administered in the home, ought to be performed with blessed or lustral water, for the sake of greater reverence.

It is certain that the material removed in baptism is nothing other than material or elemental water, as is evident from the Lateran Council, as related in c. Firmiter, *de summa Trinitate*, and from the Council of Trent, session 7, canon 2, from which is quoted John 3:5: "Jesus answered: Amen, amen, I say to thee, unless a man be born again of water and the Holy Ghost, he cannot enter into the kingdom of God." Therefore, we must consider what kind of water is valid matter, what is invalid, and what is doubtful.

I. Certainly valid matter is: I. o Water from springs, wells, the sea, rivers, lakes, ponds, cisterns, and rainwater, and whatever else is simple and pure, retaining its own characteristic of water; nor does it matter whether it is cold or hot. Thus it is stated in the Roman ritual, by order of Gregory XIII (apud Conc. i. 8, p. 125, n. 2).

II. o Water obtained by melting snow, ice, or hail, as commonly taught by Conc. n. 6, Cont. Tourn. ir. 4, p. 287, Holzm. tom. 2, cap. 1, n. 95, and Elb. i. 3, p. 25.

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8. Ronc. de bapt. cap. 2., Croix, lib. 6, p. 1, n. 262, et alii.

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3. o Water, whether sulfurous or material, as taught by St. Thomas, 3rd part, question 66, article 4, ad 4; Tourn., Holzm., Salm., Antoine, and others, generally.

4. o Water flowing at times from a wall, leaves, etc. Tourn., page 287; Elb., n. 8; Ronc., chapter 2, with Gab. and Tamb.

5. o Turbid water mixed with another substance, provided that the water is the predominant material; St. Thomas, loc. cit.; Tourn., Salm., Elb., Antoine, etc. But see below, n. 3.

6. o Dew and water collected from condensed vapors, such as in a pot lid, as Croix, lib. 5, p. 1, n. 22; Diana, p. 3, tr. 4, r. 5, etc., and is approved by Gont., vol. 8, page 122, n. 9.

7. o The following are certainly invalid substances:

1. o Blood, milk, wine, urine, phlegm, as Gon., manual, vol. 6, chapter 3; Salm., and others, generally.

8. o Juice expressed from flowers, herbs, and roots, as St. Thomas, loc. cit., ad 5; Salm., n. 6; Gon., Tourn., Elb., etc. The passage from St. Stephen II, found in Gon., p. 88, where the Pope seems to have approved of baptism conferred in wine, is, as Gon. himself points out, Conc., n. 7; Tourn., p. 286, with Juen. and Petroc., vol. 3, p. 154, with Nicholas.

9. o The following substances are doubtful:

1. o Lye and lixivium; for although D. Thomas, disputation 66, article 4, ad 2 and 4, states that these substances are suitable for baptism, provided they contain no more than...

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"A substance other than water; indeed, it should be added that if subtle water is extracted from a liquid that has been thickened, baptism can indeed be performed in it, just as it can in water extracted from clay, and the Doctors, Councils, Salm., Tourn., and Ronc. follow this view; however, it is not improbable that Pal., tr. 19, part. 3, Elb., Tamb., Dian., and Pasq. absolutely state that lye and similar substances are doubtful materials, since such water more pollutes than cleanses the body. 2.º Water from dissolved salt; for although Pal., Laym., Silv., and Ang. entirely deny that this is a suitable material; nevertheless, Tourn., with Bon. and Henr., and the Council with Leand. and the common opinion, as he asserts, say that it is a doubtful material. 3.º Thin beer, as Antoine states in question 1, and Spor. de bapt. on page 183; and the same is stated by Croix, no. 261, with Gob., Steph., and Esp. And it must be diligently noted that in extreme necessity, if a certain material cannot be obtained, any doubtful material can and should be used, under the condition, as commonly stated by the Councils, Tourn., Salm., no. 2, with Lugo, Dian., and others. And this applies not only when there is a probable opinion regarding the validity of the sacrament, but also when there is a weakly probable opinion, as rightly stated by Antoine, no.

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2, Holzm., no. 99, Viva, app. ad prop. damn., no. 11, v., Ratio, Croix, lib. 6, part. 1, no. 110, and p. 2, no. 1162, and Card. LIG., Theol. Mor., Vol. VIII, P."

[*Latin ed. p. 346*]

In Proposition 1 of Innocent XI, concerning the matter of sacraments, with Navar and Soto, the reasoning is as follows: because the condition under which the sacrament is administered sufficiently repairs the injury to the sacrament, and conversely, necessity is a sufficiently just cause for administering the sacrament in that manner, conditioned thus. And when the minister can administer the sacrament of baptism or penance in this way, he is indeed obligated to do so under a grave precept of charity, as Antoine, Holzmüller, and Viva rightly state in their works, chapter cited, with Suarez, Cajetan, Sylvester, Concinius, Vasquez, etc., commonly, page 104, subdivision 1st. The question is raised: whether water extracted by alchemical means from flowers, plants, or roots is a valid matter for baptism, or at least doubtful. The first opinion entirely denies this, and this view is held by Gonet in his manual, volume 6, chapter 3, Council of Trent, number 12, Salmeron, chapter 2, number 6, and others, with the Doctors of the Church, 3rd part, question 66, article 4 to 5; because artificial water can never be called natural. The second opinion, however, which is held by Elbing, page 25, number 10, Holzmüller, page 21, number 95, Contraro of Tournai with Tannenberg, Puteanus, etc., Croix, number 260, with Dicetus, as well as the Councils of Trent, Tambov, and Vericel, cited by Renzi in his book on sacraments, rightly considers this to be a matter probably valid, and therefore to be used entirely in extreme necessity. The reason is that, as philosophers believe, the elements truly and formally remain in mixtures, and each element can be resolved by chemical means into its own species.

[*Latin ed. p. 347*]

In order that the matter may be truly water, it seems sufficiently proven from chapter "In quadam" of the work "De cel. missa," where the priest, speaking of the water that flowed from the side of Christ, affirms that it was truly water; because he says: "Whether it was created by divine power, or resolved from components in part, it is natural (nota) that an element can be resolved into its elements. One might object: therefore, wine and oil could also be the matter of baptism in this way, since water is also present in wine and oil. The response is that this is not the matter of baptism because a foreign substance predominates over the water; but it could be, if water were extracted from wine or oil by art. The opposite argument, namely that artificial water differs in species from natural water, does not convince; for such water, extracted as above, is called artificial not because by art something that was not water is made into water, but because natural water is separated from other elements by art. It is rightly said by Sylvester,

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in "De Baptism□," and by Renzi, in the aforementioned place, question 5, that distilled water is true natural water, since it is of the same species; therefore, distilled water mixed with roses or other similar flowers, when the predominant substance is water, seems to be a valid (although not licit) matter for baptism, according to D. Th., who, along with others, commonly teaches (d. qu. 56, art. 4, ad 2) that *eptam* is water mixed with other substances.

[*Latin ed. p. 348*]

Another matter of lesser quantity. See the aforementioned, number 103. Question 2. Whether saliva is a suitable material, or at least doubtful, for baptism. Palearius affirms this in page 3, number 2, and the Council states it in the writings of Tamini. However, it is truer to say that it is entirely unsuitable material, as Tamini, Gonet, Tournhem, Salmerius, Croix, Antoine, and others commonly state; and it is evident from the penultimate chapter on baptism, where Innocent III, speaking of those baptized with saliva, responds: "There should be no doubt that they do not truly possess baptism." And the same should be said of sweat, as Tamini, Renzi, and Fillon state in chapter 2, number 26, and as is commonly held, from the chapter "In Quibusdam," concerning the celestial mysteries, where it is said: "For in the sacrament of baptism, we are not regenerated in phlegm, but in water." And Fillion rightly teaches, along with others, that tears are also unsuitable for the same reason, phlegm being accepted as a term for both sweat and tears. Question 3. Whether water flowing from vines or other trees is a suitable material for baptism. Salmerius, Roncaglia, and the Council in volume 8, page 127, number 8, and others commonly state that it is not, because that liquid is the sap of the tree, not water. However, Tournhem, along with Dicetus and Renzi, and Pasquius, Verricius, etc., state that it is a doubtful material. Question 4. Whether ice or snow, not melted, is a suitable material. The Council and Croix, along with Tamini, commonly deny this; but they doubt.

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Av. at Croix and Hurt., Disp. and Annot. in Renzi: therefore, they say that it can be used in necessity under a condition. 105. Resp. 2.° The immediate matter of baptism is ablution, which validly takes place in three ways, namely, by immersion, aspersions, or infusion, according to the practice of different churches, which must be observed, so that it is considered, by the moral judgment of men, to have been received; however, according to the precept, the head must be washed, which the practice of the Church observes. The reason is, because ablution can be accomplished by any of these methods. Indeed, it is clear from the Council of Toledo that triple immersion is not necessary. However, if triple immersion, or immersion, or infusion is customary, it cannot be omitted without grave sin, except out of

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necessity, as St. Thomas teaches; although others, if scandal and contempt are absent, say that it is only venial. Laym. l. c. n. 4., Bon. l. c. Therefore, it is resolved: 1.° He is not truly baptized, whose no part is immediately touched, for example, an infant in the womb or in a chest; or an adult whose garments are only sprinkled. Laym., Bon. ll. cc. 2.° It is not required for validity that he who is baptized emerge from the water (for example, if he is immersed in a river): which, however, is a grave sin; nevertheless, if he is about to die, he must be baptized. Laym. c. 3. n. 5. As also a mother who is about to die or is dying.

[*Latin ed. p. 350*]

To open the womb, so that the infant may be baptized. Layman, book 5, treatise 2, chapter 3, paragraph 2, where he makes an exception, namely, if the mother is worthy of death, and if the execution is postponed, the infant will certainly die before birth. But Suarez rightly adds that this case is scarcely morally or practically possible. See the cited passage.

3. The baptism is invalid in the following cases: 1. If someone falls into the water or is pushed into it, and yet pronounces the formula. 2. If the person pronouncing the formula holds the child, and another washes him or pours water on him. 3. If the person to be baptized submits himself to the water flowing from a fountain or dripping. The reason is that in these cases, it is not you, but another, who is performing the washing. See Bonaventure, part 3.

4. The baptism is doubtful (and therefore, if given in necessity, must be repeated under certain conditions) in the following cases: 1. If only one or the other drop is used, for example, if a large quantity of water is sprinkled in the manner of holy water. This is not permitted without necessity, since any contact with water does not seem to be sufficient for the ablution, but a continuous action with some movement is required. See Bonaventure, cited passage, paragraph 13, from Suarez, etc. However, in a case of necessity, Merati, book 3, chapter 3, section 4, and Granada, in 3 parts, page 4, chapter 1, paragraph 12, permit such a baptism.

2. If only a less important part is washed, for example, a finger, hand, or foot; for if it is a principal part, for example, the shoulders.

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Whether it be the hair or the chest, no one doubts. 3. If only the hair is dyed, it is permissible; as Lugo responds in *Moral Questions*, book 1, chapter 1, that it is valid. 4. If an infant is dyed, still wrapped in its swaddling clothes, that is, covered with a cloth attached to the body; however, in the aforementioned cases, baptism must be conferred under a condition. Hurtad. on Baptism, book 2, chapter 5. Laym., book 5, part 1, chapter 3. 5. When the triple immersion or effusion is performed in the name of the Father, and the Son, and the Holy Spirit, according to the practice of the

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Church, care must be taken that the formula is not repeated three times, but only once. It is more fitting to pronounce it in such a way that it is not concluded before the third ablution; because the formula, with any first ablution, constitutes baptism. Reg., book 27, chapter 3; Laym., book 5, part 1, chapter 3, page 106. Question 1. Whether baptism is valid if someone throws an infant into a well or river and pronounces the formula. The first opinion denies this, and Scotus holds this in the 4th book, 4th question, 3rd article; and Manstr., Frass., and other Scotists commonly follow him, as well as Cont. Tourn., book 4, page 500, and Sotus, Silvest., Tab., etc. The reason is, first, that it cannot be said that there is immersion if it is not followed by emergence; and second, that the contact of the water must be by the minister; but this ablution would not be by the minister, but by the mass of the body thrown into the water. The second opinion affirms this, and Suar. holds this in book 20, section 5.

[*Latin ed. p. 352*]

Laym., page 3, paragraph 3; Council of Trent, Session 8, page 135, paragraph 11, with the opinions of Gonfalonieri, Vallesi, Palafox, Panormo, Vasquez, Fillon, Victor, etc., and it is considered probable by Salmeron, chapter 2, paragraph 25. The reason is that all the necessary elements are already present there: the matter, the form, and the intention of the minister. Both cases are probable; and because such a question scarcely leads to practical application, I consider it superfluous to dwell upon it further. Tournhem and Sylvester rightly point out that if such an infant were to survive, it would, at the very least, need to be rebaptized. It is certain, with Tournhem, in the aforementioned passage, and according to common opinion, that the baptism conferred with poisoned water or with water given to a servant, even if the infant is subsequently killed, is valid; because this would already be considered the usual ablution. Whether the water is poisoned, boiling, or freezing, is an accidental circumstance. Thus, also, the baptism is valid if someone, while water is flowing from the roof, submits the person to be baptized and pronounces the formula, as rightly stated by the Council, paragraph 12, and by Tournhem, page 300, paragraph 4. On the other hand, Tournhem states that if the addition of water to the body of the person being baptized is done by another, then the formula "I baptize you" would not be verified, which requires that the ablution be performed by the baptizer himself. Finally, it must be held, with Tournhem, page 300, conclusion, in the aforementioned passage, with Antoine, page 470, article 4, with Salmeron, chapter 2, paragraph 35, with Suarez, Vasquez, Palafox, the Council, Laym., etc., in common (contrary to some, as noted by Dian, page 5, treatise 3, response 14).

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It is never permissible to throw an infant into the font to baptize it, even

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if it is about to die without baptism; because it is never lawful, for any reason whatsoever, to directly kill an innocent person; from Exodus 23: "The innocent and just shalt thou not kill." And for the same reason, it is not permissible to cut open the abdomen of a mother who is about to die, so that her child may receive baptism, as is commonly said by Tournhem, volume 8, page 136, number 13, and by Salm, number 35, with the Council (contra Comit.) from *Doctor Thomae*, who in the third part, question 68, article 11, ad 3, expressly teaches: "A man ought not to kill the mother in order to baptize the child." However, if the mother has died, while the child lives in the womb, the womb must be opened so that the child may be baptized. It is not valid to say that the spiritual life of the child should be preferred to the temporal life of the mother; for it must be understood that everyone ought indeed to endure death, but not that he ought, nor that he can, inflict death upon himself, or kill another, for the spiritual salvation of a neighbor. Here, Croix, number 293, rightly observes that, after the mother's death, her mouth must be immediately opened, lest the child be suffocated. Furthermore, it is considered by Cont. Tournhem, volume 3, page 281, column 3, and by Croix, book 6, page 1, number 295, with Raymund, Gobius, etc., that, according to the judgment of physicians, it is possible to cut open the mother and baptize the child without the mother's death: and in this case, they say that the incision may lawfully be made, and the mother [may survive].

[*Latin ed. p. 354*]

It is permissible to subject her to this, if the mother is robust and the surgeon is skilled. And in this case, the Doctors say that it is licit for the surgeon to make the incision, and for the mother to endure it, even if (there is) a danger to her life. But here, I believe a distinction must be made: concerning the surgeon, I say that he may incise the mother, if the danger of her death is remote; otherwise, if it is proximate or probable. For just as it is illicit to kill the mother so that the child may be baptized, as we saw from the Common Doctors, so too it is not licit to expose the mother to a probable danger of death; and I do not see how this danger can be avoided in such a serious incision. Let experts consider this. Concerning the mother, I say that if the danger of her death is probable, she is neither obligated nor able, by her positive consent, to participate in the incision; she could and would only be obligated to endure it if the surgeon were to make the incision without her consent (she herself being entirely opposed to it), and if there were a probable hope of the child being baptized, and the mother's death were not certain; for in a doubt concerning both, she is obligated to prefer the spiritual life of the child to her own temporal life. But if her death is certain and the child's salvation is doubtful, especially if the child is not certainly to be baptized, she is not obligated to certainly lose her life. It is very probable that what is said by Suarez, q. 68, art. 11, is

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true.

[*Latin ed. p. 355*]

and Renzi, question 6, with Laym., Con., Fill., and Præp., namely, that if a pregnant woman is condemned to death by sentence, although according to the law concerning pregnant women, the time of puerperium must be awaited, nevertheless, if it is judged that the child will certainly die before it comes into the light, it is licitly possible to cut the mother's womb, anticipating the punishment; because otherwise, the delay granted for the sake of the child would then be detrimental to the child itself. I have considered it worthwhile to note further things that Francis Emmanuel Cangiamilla writes in his *sacra embryologia*. There, in book 1, chapter 15, paragraph 1, with Possev., Gob., etc., he gravely condemns parents who neglect to have the incision made, and surgeons who omit or delay it. He also adds that the parish priest must take care to ensure that the mother is not buried before the incision is made; otherwise, he believes that he will not be excused from irregularity, since the parish priest is bound by his office to prevent the death of infants. But I do not agree with this; because in that case, when the life of the child is not certain, neither is its death certain, according to what is said in law 7, paragraph 347, doubt 4. Furthermore, he adds in chapter 16 that if another person is found, even if not a surgeon, who is willing to perform the incision, that person is obligated to carry it out. He says in book 2, chapter 4, paragraph 6, number 2, that when the child is not entirely out of the womb, baptism is not...

[*Latin ed. p. 356*]

The ministering should be done by the priest, but the examination by the midwife. The third point is to be especially noted: namely, what are the signs of danger in children; namely, 1st, if the child is born without a cry and without tears; 2nd, if it breathes with difficulty; 3rd, if it appears bluish, especially on the face or head; 4th, if it is born after a long time or labor; 5th, if it is born before the seventh month; 6th, if the skull is very soft or the sutures are too open, or if other parts are dislocated. Although it is not permissible to throw the child into the river, it is permissible, even with cold water, if nothing else is available, to baptize the child who is about to die, even if there is fear that this might hasten death, as Laym. c. 3, q. 4, Pal. p. 4, n. 24, and Salm. n. 36, teach, along with Vasq., Con. etc.; because death would not occur through itself at that time, but by accident, since such an action does not, by itself, tend towards killing, but towards purification; and because in such a case, that small remnant of life can be disregarded, so that the infant may attain eternal life.

107. Question 2nd: Whether an infant in danger of death can be baptized in the womb of the mother. It is certain that baptism is not valid if it is conferred upon the child by washing the body of the mother; because the

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child is a person distinct from the mother. See V. S. Th. 3, p. q. 68, art. LI., Salm. c. 6, n. 5, and others.

[*Latin ed. p. 357*]

Commonly, this is taught. It is doubtful whether an infant can be validly baptized if the womb's opening remains open, even if no part of the infant has emerged, if it can be touched with water by means of an instrument. The first opinion denies this, and this is held by Nat. Alex. de bapt. c. 7. prop. 2. *in fine*, Council, vol. 8, page 133, n. 5, along with Comit. and Juen. and Gotti apud S. P. Bened. XIV. in op. de syn. lib. 7. cap. 5. n. 2. The reason is that no one is said to be reborn, unless he has first been born, as it is written in John 5: "Unless a man is born again of water, he cannot enter the kingdom of God." And in accordance with this opinion, it seems that D. Th. l. c. says: "Baptism is a certain spiritual regeneration; therefore, no one ought to be baptized before he is born from the womb." And more clearly, D. August. epist. 57. ad Dardanum, where he says: "If, therefore, a man can be regenerated by the grace of the Spirit in the womb, when he still remains to be born, is he not then reborn before he is born? Which cannot possibly happen." And this is confirmed by S. Isidore, who in cap. 115. de consecr. dist. 4. says: "He who is not yet born according to Adam, cannot be regenerated according to Christ." And from the Roman ritual concerning baptism, it is said: "No one enclosed in the womb of his mother ought to be baptized." The second opinion, which is quite probable, affirms this. This is held by Suar. 3. p. d. 25. sect. 6. art. 11. p. 276, Cont. Tourn. t. 4. page 299, Holzm. t. 2. n. 137, Elb. t. 3.

[*Latin ed. p. 358*]

p. 29, nos. 22 and 51, citing Bamb. and Croix, lib. 6, p. 1, no. 161, as well as Con., Pignat., Led., Victor., Dic. and Av., and our own Father Benedict XIV, in the aforementioned work. The reason is that such an infant, since a human being already exists, can rightly receive baptism. Nor does the opposing argument present an obstacle, namely that one who is not yet born cannot be reborn; for truly, someone can be said to be born not only when they emerge from the womb, but also when they already live within the womb, according to the words of the angel to Joseph concerning the conception of the Incarnate Word, Matthew 1: "But while he thought on these things, behold the Angel of the Lord appeared to him in his sleep, saying: Joseph, son of David, fear not to take unto thee Mary thy wife, for that which is conceived in her, is of the Holy Ghost." And the same Dominicus Thomas asserts this in 4th distinction, 12th question, 2nd article, saying: "There are two kinds of carnal birth: the first in the womb, the second outside the womb." And this is more clearly demonstrated from chapter 4 of the De Baptismo, where Innocent III expresses that a person is born when conceived, saying: "In carnal generation, from which offspring

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is born (nota tò ex viro et fœmina nascitur): therefore, offspring generated only from a man and a woman is rightly said to be born." And from this birth, the text of John can be appropriately explained: "Unless a man be born again, etc." For in the third session of the Council of Trent, in the decree on original sin, this text is explained as follows: "That in them regeneration may cleanse what they have contracted through generation." Therefore, just as original sin is contracted through generation alone, so likewise, as a man...

[*Latin ed. p. 359*]

By the grace of regeneration, it suffices that he is already generated; and therefore, the Council calls baptism regeneration, which does not require birth from the womb, since it is not this that is called generation, but only that birth which occurs in the womb and by which a man becomes the son of Adam. And indeed, St. Thomas seems clearly to incline towards this opinion in the same article 11, where, after denying that a child can be baptized in the womb of the mother, by reason, because, as he says, the body of the infant, before it is born from the womb, cannot in any way be washed with water, he immediately adds: Unless it is said that the baptismal washing by which the body of the mother is washed reaches the child in the womb; but this cannot be. Therefore, the Holy Doctor, as also St. Augustine, St. Isidore, and the Roman ritual, in denying that a child can be baptized in the womb of the mother, understand that they are speaking of a child completely enclosed in the womb (whom Julian and other heretics wrongly maintained could be validly baptized by the washing of the mother's body, against whom Augustine wrote), and not of a child who can be touched by water through some instrument; for in this case, as Tournhem explains the words of Augustine, at least in its beginning, it is said to be born through the opening of the womb, and therefore St. Thomas said that a child in the womb cannot be baptized, unless the washing reaches the child in the womb. He adds: But this cannot be.

[*Latin ed. p. 360*]

Understanding, of course, the case of ablution without the appearance of the womb: therefore, if ablution can be accomplished, as Saint Pius Benedict XIV rightly argues, then the child can certainly be baptized. And our pontiff, with his companions, states that this is evident from the judgment of physicians and midwives. Indeed, Sylvester and Vasquez teach that a child wrapped in swaddling clothes can be validly baptized; because this is considered as part of the child, since it remains connected to the child's umbilical cord; and Laym. c. 3, n. 3, considers this probable, citing Augustine and Arminius, and Diana, p. 5, t. 3, r. 4, with the Preface. With these things established, I believe that in a case of necessity, the child should certainly be baptized (under the aforementioned conditions) in the aforementioned

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cases. However, it must be diligently noted what is taught by D. Th. d. q. 68, art. 11, ad 4, which says: "The complete emergence of the child from the womb is to be awaited before baptism, unless death is imminent; but if first the head emerges, it should be baptized, if danger is imminent; and it should not be rebaptized afterwards, even if it happens to be perfectly born. And it seems that the same should be done, whatever other part emerges, if danger is imminent. Because, however, in no part of the exterior body does the integrity of life consist so much as in the head, it seems to some that, because of the doubt, if the child is cleansed through any other part, he should be baptized after perfect birth with this formula: If you have not been baptized."

[*Latin ed. p. 361*]

I baptize you. Whatever Sambovius and Pontas may say in Tourn, no. 299, namely, that a child, even in that circumstance, baptized on the head, is under the condition of being rebaptized, I know to be contradicted by the aforementioned doctrine of D. Th. and others, commonly held with the Roman rite, where it is expressly confirmed as follows: "If an infant has brought forth its head, and the danger of death is imminent, let it be baptized on the head; and afterward, if it comes forth alive, it will not be baptized again." Question 3. Whether baptism is valid if only the water touches the clothes or the hair of the person being baptized. If only the clothes are touched, the baptism is invalid, as rightly say the Council, p. 134, no. 8, Elb. no. 23, and Salm. c. 2, no. 37, along with others, against Leander, who praises Soto, Valent., etc. The same is said by the Council, no. 7, and Bon., d. n. 21, along with others, concerning baptism with the ablution of only the hair; but Tol., Val., Con., Henr., Graff., Led., etc., apud Lug. resp. mor. lib. 1, dub. 1, no. 3, hold the absolutely opposite view, whose opinion Lugo himself rightly considers probable. The reason is: although the hairs are not animated, they are not, however, pure excrement, but are good parts of a man, just as is the outer skin, which is not even informed by the soul, and yet this is certainly washed away in baptism.

[*Latin ed. p. 362*]

Hence, it is rightly said by Layman, chap. 3, no. 3; Lugo, loc. cit.; Viva, q. 2, art. 3, no. 5; Salm, chap. 2, no. 41; and Diana, p. 5, tr. 3, r. 4, that, according to Soto, Vasquez, Praepositus, and Och, baptism conferred on the hair is at least doubtful, and therefore, if it cannot be administered on another part of the body, it should be administered, conditionally. And the same must be said, according to Salm, loc. cit., and D. Th., as mentioned above, concerning baptism which can only be conferred on a finger, foot, or other very small part of the body.

Question 4: Whether baptism conferred on another principal part of the body, other than the head, such as the shoulders, arms, or chest, is valid.

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The most common opinion is affirmative, and this is held by Bus., as mentioned above, and Suar., d. 20, sect. 3; Fill., cap. 2, no. 33; Holzm., no. 103; and others, as cited by Croix, no. 267. However, the Council of Trent, Sess. 15, cap. 7, can. 1; Anacl., p. 548; and Platell., as cited by Croix, loc. cit., consider such baptism to be doubtful; and the reason given by D. Th., 3. p., q. 68, art. 11, ad 4, is: "Because in no part of the exterior body does the integrity of life consist so much as in the head, it seems to some that, because of the doubt, if a child, after perfect birth, is washed with any other part of the body, he should be baptized with this formula: 'if you have not been baptized, etc.'" Therefore, because of some doubt that arises in such a baptism, other than that which occurs when it is conferred on the head,

[*Latin ed. p. 363*]

It is rightly stated in *Viva*, q. 2, art. 3, n. 5, and in *Salm.*, c. 2, n. 39, that, for greater caution, it may licitly be repeated, as also indicated by the Councils of Trull, Led, Turrebl., and Ant. *a Spir. S.* And the same is the opinion of *Cont. Tourn.*, vol. 4, p. 298, at the end, saying: "But because in a matter of such importance, the safest course should always be followed, whoever has been baptized elsewhere than in the head, must be rebaptized anew, under the condition that, according to *D. Th.*, q. 66, art. 7, ad 3, it is stated: 'If the whole body cannot be immersed in water due to a lack of water, the head must be immersed, in which the principle of animal life is manifested.' Question 5: Whether a triple ablution is required for baptism. With regard to validity, there is no doubt that baptism conferred by a single ablution is valid, as all teach, along with *D. Th.*, q. 66, art. 8, from cap. *De trina, de consecr.*, dist. 4, where St. Gregory holds this to be certain, saying: 'It is by no means reprehensible to immerse a child in baptism, whether three times or once.' And sometimes, it is said, only one immersion was used in the Church, as reported by Antoine, Renzi, and others. However, *Layam.*, c. 3, n. 3, and *Elb.*, vol. 3, p. 29, say that the custom of each Church must be observed in this matter. In our Roman rite, a triple immersion is prescribed. Whether this rite must be observed under pain of mortal sin, Holzm. denies; but Renzi more truthfully affirms it.

[*Latin ed. p. 364*]

For such a rite is of sufficiently grave matter: for when the mystery of the Trinity is expressed in baptism, it is fitting that it be conferred by a threefold ablution. And this is expressly taught by the Doctors of Theology, in the aforementioned place, speaking of the threefold immersion, which was then commonly practiced, saying: "And therefore, he would sin gravely who baptizes otherwise, as if not observing the rite of the Church." And here, Antoine and Bus, as mentioned above, with Reg. and Laym., rightly caution that care must be taken that the form be not perfected before the threefold ablution is performed. Question 6: Whether one drop or the other

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is sufficient matter for baptism. Vasquez affirms in d. 145, n. 23, and Henry, apud Laym., c. 3, and Leander and Diana with Och, Meratio, etc. But Laym. and others, Tourn., p. 298, and Conc., p. 126, n. 4, with Soto, Suar., and Val., generally deny this, especially if the drop does not flow. However, Holzm., n. 99, and Elb., n. 16, consider it to be doubtful matter. But if the baptizer, by the movement of a moistened finger, were to wash away a part of the body of the person being baptized, Anacl., p. 547, n. 14, and Bon., punct. 3, n. 14, with Scot., Con., Fill., and others, hold that baptism is certain, although Tourn. still doubts this.

SECOND DOUBT: WHAT IS THE FORM OF BAPTISM? 108. V. apud Bus.: What are the valid forms, the invalid forms, and the doubtful forms.

[*Latin ed. p. 365*]

109. In how many ways can the form [of the sacrament] vary? 1. By alteration. 110. 2. By corruption. 3. By transposition. 111. 4. By addition. 112. 5. By diminution. Hence, the following doubts arise: 1. Does the omission of the conjunction invalidate baptism? 2. Does the omission of a proposition [in the formula] invalidate it? 3. Is a baptism valid which is conferred only in the name of Christ?

108. "I respond: The necessary form of baptism is this: 'I baptize you in the name of the Father, and of the Son, and of the Holy Spirit.' Amen." This does not substantially differ from that of the Greeks: 'Let the servant of Christ be baptized in the name of the Father, etc.' (This proposition was condemned by Alexander VIII. At one time, a baptism conferred under this form was considered valid: 'in the name of the Father, etc.,' omitting the words 'I baptize you.') Furthermore, there are five things signified in the enunciation of the form, according to which its value must be understood. 1. The person baptizing, at least implicitly, which is not neglected in the Greek form, since 'let him be baptized' is equivalent to 'let me baptize him.' 2. The act of baptizing; otherwise, the form would not have a connection with the matter, nor would it determine it, since ablution can be referred to various *fines* [Fismes]. 3. The person being baptized; for just as the ablution, so also the form must be directed towards a specific person. 4. The unity of the divine nature; this is accomplished by...

[*Latin ed. p. 366*]

Words: in the name. 5th. The Trinity of Persons; and this is explained explicitly and distinctly with common words. Full. ch. 3, Laym. ch. 4, Bon. p. 4. "Therefore, it follows that: 1st. He validly baptizes, even if he sins venially, who says: "I baptize," or "I immerse," etc.; or who uses a common name for you, according to the custom of the Greeks, or your proper name; or: "I baptize Peter"; or who says for the sake of honor: "I baptize your dominion." Laym. ch. 4, no. 9, Bon. p. 4, no. 9 and following. 2nd. The form is valid, even if "ego" and "amen" are omitted; because all that is signified by the form is

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preserved: otherwise, if "te" is omitted; because the person being baptized is not signified. Ibid. (This is common with Salm. de bapt. cap. 2, no. 6 and 39.) 3rd. These forms are not valid: 1st. "I baptize you in the names of the Father and the Son, etc."; because the divine nature or essence is multiplied. 2nd. "I baptize you in the Father and the Son, etc.," or "with the Father, etc.," or "through the Father," or "in the name of the Father, through the Son, in the Holy Spirit," or "in faith, in virtue, in majesty of the Father, etc." (although some consider this doubtful). The reason is because the diversity of essence is signified, or at least the unity is not sufficiently expressed. 3rd. "I baptize you in the name of God, or of the Most Holy Trinity, or in the name of God, one and three, or in the name of the three Persons, or of the Father and the Son," omitting...

[*Latin ed. p. 367*]

The formula "in the name of the Holy Spirit" is not to be used. The reason is that the three Persons are not distinctly expressed.

4. Regarding the formula "in the name of our Lord Jesus Christ": While this formula was formerly used by the Apostles, some teach that it was granted to them by a special privilege; others deny this and say that they baptized in the name of Christ, adding that name to the second Person, without omitting the names of the other Persons. Therefore, when Pope Nicholas said that this formula is valid, he either understood that, if the name of the Son is substituted for the name of Christ, it is valid; or he understood that, in the name of Christ, the name of Christ is used in place of Christ; or he spoke as a private doctor. *V. AA. cit.*

5. The following formulas are doubtful, because the opinion of the authors is probable in both cases:

1. "I baptize you in the name of the Father, and of the Son, and of the Holy Spirit," or "I baptize you in the name of the Father, I baptize you in the name of the Son, etc." The reason is that the unity of essence is not expressed.

2. "I baptize you in the name of the Father, the Son, and the Holy Spirit," or "I baptize you in the name of the Almighty, the Wise, and the Good," or "I baptize you in the name of the Begotten, the Born, and the Good." The reason is that the Trinity of Persons is not explained in words that all the faithful should and can understand.

3. "I baptize you in the name of the Father, and of the Son, and of the Holy Spirit, and of the Virgin Mary": because there is doubt about the intention of the minister; if he intended to say Mary in the same sense as the Father, the Son, and the Holy Spirit, it is not valid, because...

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It would be contrary to the essential meaning intended by Christ; but if it was only intended to invoke it as a coadjutor in obtaining grace, or

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otherwise, it is valid, since it is only an accidental change. Fill., vol. 2, chap. 3, no. 50. See also Laym. and Bon., Ill., cc. 109. The true and legitimate form of baptism is this: "I baptize you in the name of the Father, and of the Son, and of the Holy Spirit." Amen. Thus defined in the Lateran Council, chap. Firmiter, concerning the summary of the Trinity, and in the Council of Trent, session 7, canon 4, from Matthew 18: "Go, therefore, and teach all nations, baptizing them in the name of the Father, and of the Son, and of the Holy Spirit." This form can be varied in many ways: namely, 1st, by a change of words; 2nd, by corruption; 3rd, by transposition; 4th, by addition; 5th, by diminution. In all of these, in order to determine when the variation invalidates the sacrament, it must be considered whether the change is substantial or accidental. A substantial change is one in which the substance of the meaning of the words intended by Our Lord is corrupted; and this indeed invalidates the sacrament. An accidental change, on the other hand, is one in which the same meaning remains; and this does not invalidate it, unless, as noted by D. Thomas, 3rd part, question 60, article 8, someone intends to introduce a different rite by changing the form, which is not received by the Church; because it does not seem that he intends to do what the Church does.

[*Latin ed. p. 369*]

Hence, 1st, concerning the alteration of words, the variation is accidental 1st, if the language is changed, as commonly all teach, indeed Lugo, d. 2, n. 107; Con., q. 68, n. 68; and Croix, lib. 6, p. 1, with Suar., Caj., Dic., and Arr., who say that this occurs even if several languages were combined into the same form; because although then the proposition may not seem morally significant to men, nevertheless in the sacraments it is not required that the one hearing or the one uttering the words understand them, provided that the words are, of themselves, significant, and that the speaker intends to signify what Christ intends. Furthermore, Croix rightly notes, with Sa, Truh., Victor., Reg., Gob., and Dic., that it is better for women and others who are unlearned, if they are to baptize, to use the *materna* language, since they do not perfectly know how to pronounce Latin. However, Salm., c. 3, n. 12, with Suar. and Fill., advises that the word "baptizo" should be retained as much as possible, saying: "Io ti battezzo, etc."; because through the adaptation of words, this word serves both languages. 2nd, even a variation is accidental, if synonymous words are substituted, e.g., *abluo*, *lavo*, *intingo*, for *baptizo*, as commonly is said with Bus., n. 14, as above; Suar., d. 21, sect. 2; Nat. Alex., art. 3, reg. 10; Tol., lib. 2, c. 19; Spor., t. 3, n. 28, with Laym., Bon., and Croix; Salm., with Con. and Leand.; Elb., c. 3, n. 43; and Lig. Theol. Mor., T. VIII, Q.

[*Latin ed. p. 370*]

Council, Session 8, paragraph 143, number 46, states that Soto, Vasquez,

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Berti, and others, against Alen, Gabr., etc., who believe that such a baptism is not valid, because at that time it is considered that the minister does not have the true intention of performing the rite of the Church, since those different words rather signify a profane than a sacramental cleansing. But the Council, in the same place, rightly observes that if the sacrament were to be weakened, it would not already be weakened by a defect in the words, but by the intention of the minister; but when the minister has the true intention of baptizing, he truly baptizes, determining by his intention those words, which are profane, to signify a sacramental cleansing, as stated in *Doctor Thomae* (Summa Theologica), question 23, volume 10, proposition 4, page 10. The same is said if the formula is pronounced in the manner of the Greeks, namely: "May the servant of Christ be baptized in the name of the Father, etc.," as was approved by Eugene IV in the Florentine Council. However, Cajetan affirms in *3. part. q. 66, art. 5*, that a baptism is valid if it is said: "In the name of the Father and the Son and the Holy Spirit proceeding from both." The reason for this (which the Council states in paragraph 146, number 11, does not lack its foundation) is that in the common language of theologians, the names of the Father, the Son, etc., are usually taken to mean the same thing. But a baptism conferred in this way is at least doubtful, as taught by Layman in chapter 4, number 4; Palearius in *De Baptismo*, page 5, number 16; Contraro in *Tractatus*, volume 4, page 311; Holzbauer in *Theologia Moralis*, volume 2, number 114; Salmeron in *Tractatus de Sacramento Baptismi*, chapter 3, number 31; and Roncaglia.

[*Latin ed. p. 371*]

c. 2. q. 6. and the Council, in the aforementioned passage, along with Estius, Suarez, Vasquez, and the common opinion of Thomists and Scotists. And He Himself, St. Thomas, explicitly taught this in *Summa Theologica*, 3rd part, question 66, article 5, ad 7, where He gives a reason, saying: "Just as water is taken for baptism because its use is commonly to cleanse, so, to signify the three Persons, those names are included in the formula of baptism (namely, Father and Son, etc.), by which the Persons are commonly known in that language, and the sacrament is not perfected by other names." Therefore, as Cont. Tourn. states on page 311, St. Pius V, when a new edition of Cajetan's works was being prepared in Rome, ordered his opinion to be erased. He considered the baptism validly conferred in this way: "In the name of the Father, and of Jesus Christ, and of the Holy Spirit"; because, as he said, Jesus Christ is truly the Son of the Father. But Frassen does not agree with this opinion, as he states in volume 10, page 271; because, although Jesus Christ is known to be the Son of the Father, nevertheless, here, this is not sufficiently expressed. Frassen says differently, that if "Spiritus Paracliti" is said instead of the name "Spiritus Sancti," it is acceptable, because in the word "Spiritus" the third Person is sufficiently expressed.

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110. 2. As for the corruption of the words, St. Thomas notes in question 60, article 7, ad 3, that substantial corruption is more easily induced if the corruption occurs at the beginning of the word; for example, if "Mairis" is said instead of "Patris"; otherwise, if the corruption occurs in...

[*Latin ed. p. 372*]

Hence, Pope Zachary, in chapter [Retulerunt], concerning consecration, dist. 4, declared the baptism validly conferred in this manner: "I baptize you in the name of the Father, and the Son, and the Holy Spirit." It is also said that, if someone, due to a lisp or haste, says: "Batizo" or "babatizo" or "battizo," instead of "baptizo," or "Fili" instead of "Filij," the baptism is valid. The reason for this is that words are such that, even if sometimes they are uttered with a defect, they signify the same thing; thus, the Council of Trent, session 8, page 146, number 14, and Croix, number 36, with Lugo, Suarès, and others. And so, the Council states there, that the baptism is also valid if it is said briefly: "in nom. Patris, etc."

3. Regarding transposition, St. Thomas says, q. 68, art. 8, ad 3, that names and words transposed signify the same thing. Hence, transposition by itself makes only an accidental change, as if you say, "I baptize you in the name of the Father, etc." I myself." Lugo, d. 2, n. 117, and Croix, n. 52, with Tolosa, Dicasterio, Avila, and others, say the same if you say: "I baptize you in the name of the Son, and the Father, and the Holy Spirit." It does not impede if, by placing the Son first, you wish to signify that this is the beginning of the Father; for, as Lugo rightly says in the cited passage (against Soto), from the natural signification itself, the very name of the Father sounds as if it is the beginning of the Son, and there is no error of the minister. The internal error does not prejudice the value of the sacrament, as Nicholas I taught in his letter to the Bulgarians, chapter 104.

[*Latin ed. p. 373*]

Tourn. in prolegomenis theologiae, tomus 7, pagina 55, ubi scripsit: "Iam," dicit (Augustinus), "ostendimus baptismum, qui verbis evangelicis consecratur, non pertinere cujuspiam vel dantis vel accipientis errore, sive de Patre sive de Filio sive de Spiritu Sancto aliter sentiat quam doctrinam coelestis insinuat."

111. 4. O Circa additionem, valet baptismus si addantur formæ verba quae essentiam non corrumpunt, puta, ut docet S. Th., quaestio 6, articulus 8, si quis diceret: "In nomine Patris omnipotentis et Filii unigeniti etc."; vel si diceret: "Ego te baptizo in nomine Dei Patris qui te creavit etc." Secus, ait D. Th., si quis baptizaret dicendo: "In nomine Patris majoris et Filii minoris"; nam sic tolleretur veritas sacramenti. Validum iam esse baptismum putat: Concilium, n. 72, si diceretur: "Baptizo te in nomine Patris quem puto majorem etc." Idque non immerito; nam error (ut mox diximus) ministri, quem ipse per scientiam, propositionem ibi adderet, non

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obstat sensu a Christo intento.

Quid si quis diceret: "Ego te baptizo in nomine Patris, in nomine Filii etc."? Censet Bonaventura, quaestio 11, pagina 4, hunc baptismum non esse validum, quia ibi non satis exprimeretur imitas divinæ essentiæ: sed probabilius validum esse censent Concilium, pagina 144, n. 8; Palatinus, pagina 5, n. 17; cum Concilio, Laymanno, Suarismo, et.

[*Latin ed. p. 374*]

Henry and Diana, near Croix, number 34. The reason is that the repetition of the name does not in any way alter the meaning, just as the meaning would not be altered if one were to say: "In the name of the Father, in the name of the Son, etc."; and furthermore, the Council of Trent, in its decrees concerning the sacraments, contains passages in which the name is repeated. The same is stated by Tollet, book 2, chapter 19; by Estius, distinction 3, section 6; and by the Council, page 247, number 12, along with Soto, Leander, etc. If it were said: "I baptize you in the name of the Father, I baptize you in the name of the Son, etc." The Council states that it does not impede that these three forms appear imperfect, as the Comite objects; for it responds that this is truly one perfect form, since it is morally continued. However, because the first opinion of Bona is not entirely improbable, as Bus believes, as mentioned above, number 4; and as Cont. Teurn. volume 4, page 319; and Salm. chapter 3, number 20, along with Nugn., therefore I consider such a form to be unsafe. Certainly, the baptism would not be valid if it were said: "I baptize you in the names of the Father and the Son, etc."; because in this way, the unity of the divine essence would not be explained in any way. Likewise, it would be at least very doubtful whether the baptism would be valid with the following forms: "in virtue of the Father, etc."; or: "in the name of the Most Holy Trinity"; or: "in the name of the One and the Three"; or: "in the name of the three Persons." See the Council, number 10, and Spor, number 25. If someone were to add the name of the B.V.M. to the names of the three persons, he says...

[*Latin ed. p. 375*]

III. Question 60. And if this were done with a heretical intention, intending to confer baptism in the name of the Virgin, as in the name of the Most Holy Trinity, it would be invalid; because the true confession of divinity would be perverted. Otherwise, if someone, merely out of devotion, were to add the name of the Virgin.

5. Regarding the diminution of words, it is certain that baptism is valid if the words "I" and "Amen" are uttered, as all agree. And such an omission is commonly said not to exceed a venial sin, as stated by Salm. r. 3, n. 40; Spor. n. 28; Leand. d. 3, q. 3, along with Fill., Graff., Sot., Vasq., Pal., Turrecr., Led., Gran., Henr., etc.; because these words are not of the essence of baptism. As against this, the word "you" is such that its omission would indeed render

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the baptism invalid, as rightly stated by Petroc. t. 3, p. 177, and Conc. p. 142, n. 4, along with the common opinion, against some who are not heard. But it is doubted:

1. Whether the omission of the conjunction "and," saying: "In the name of the Father, the Son, the Holy Spirit," invalidates baptism. The Council (p. 146, n. 13) and Tol., Comit., and Gob. apud Croix, n. 35, deny this, because the names of the Father, the Son, and the Holy Spirit, perhaps relatively opposed to each other, already signify the distinction of persons. Reg., Vivald., and Conr. apud Croix, l. c., affirm this. But Croix himself, along with Av., rightly judges...

[*Latin ed. p. 376*]

It suffices for the validity of baptism if the particle "et" is placed before the third person: for, on the one hand, according to the common usage of language, whenever several names are joined to a single connecting word, it is sufficient for the conjunction to be placed before the last name; on the other hand, the word "et" seems entirely necessary, at least before the last name, since the name "Spiritus Sancti" by itself is not rational, but denotes the procession of the third person; for the name "Spiritus Sancti" belongs both to the Father and to the Son.

112. Doubt 2. Whether the word "et" is of the essence. The Council affirms this (p. 143, n. 7), citing Navarrus, Soto, Comiti, Gabrel, etc.; because the omission of this particle changes the meaning: for saying "I baptize you in the name of the Father," it indicates baptism by the authority, power, or command of the three persons; but "in the name" signifies invocation of the Most Holy Trinity, as Tournhem explains in the preface to volume 7, page 54. However, it is more probable that Salmeron (chapter 3, n. 21) denies this, citing Bonaventure, Concordia, Henry de Gant, and Leander (question 11), along with Hurtado, Fillon, Diana Veteranorum, and Candida, etc. The reason is that, in the Latin idiom, prepositions are more frequently omitted, which must be understood for proper speaking; therefore, although the "et" is omitted here, it is well understood from the due intention of the minister, by which the words of the sacramental formula are determined more towards one meaning than another; especially since,

[*Latin ed. p. 377*]

Moreover, even with the expression explicitly stated, the term "in nomine" remains ambiguous, because it can also signify divine authority or power, as Christ the Lord indicated when He said: "In my name they shall do many things." And elsewhere, the Holy Spirit, whom the Father will send in my name. This second interpretation, with proper consideration, seems to me to be more accurate; but when it comes to the validity of the sacrament, at least due to the authority of the Doctors, I would say that one should not depart from the first interpretation.

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Therefore, it rightly states: "The Council, that such an omission could not be excused by a mortal sin." Disp. 3. Furthermore, the question arises: can a baptism performed "in the name of Christ" be valid? A doubt arises from those words in the Acts, chapter 8, where it is said: "But when they had believed Philip preaching of the kingdom of God, in the name of Jesus Christ, they were baptized, both men and women." And from the text in Isaias, chapter 6, and from the decree concerning the consecration, dist. 4, where Pope Nicholas responded to the Bulgarians who inquired: "Indeed, if they have been baptized in the name of the Holy Trinity, or even in the name of Christ, as is read in the Acts of the Apostles (for one and the same is, as the saint Ambrose said); they should not be rebaptized." Truly, Saint Ambrose wrote in his book 1, on the Holy Spirit, chapter 3: "He who is blessed in Christ is blessed in the name of the Father, and of the Son, and of the Holy Spirit; because there is one name, one power." And the eunuch, baptized in Christ at Place not located, received the fullness of the mystery of consecration.

[*Latin ed. p. 378*]

But today, it is certain that this baptism is invalid, as all authorities teach, following St. Thomas [Aquinas], 3a, p. q. 66, a. 6: "Idque habetur expressum in c. Si revera 3o. de consecr. dist. 4.," where Pope Pelagius said: "If these believe that they were baptized only in the name of the Lord, without any doubt, those coming to the Catholic faith should be baptized in the name of the Holy Trinity." Furthermore, the passage in the Acts of the Apostles is interpreted in various ways, and indeed, all interpretations are probable. St. Thomas, in the passage cited, responds that the Apostles, through a special revelation from Christ, baptized in the name of Christ in the primitive Church; and so, too, Scotus, in 4a, d. 3, q. 2, n. 9. And this opinion is also supported by the Catechism, § 16. Others, however, more commonly and probably, interpret that "in the name of Christ" refers to the baptism instituted by Christ, in distinction from the baptism of John; but even then, the Apostles also baptized in this way, as is evident from Acts 10, where, when some were asked if they had received the Holy Spirit, they replied that they had not even heard of it. To this, the Apostle added: "In what manner then were you baptized?" implying that it was customary to express the names of the three Persons in baptism; otherwise, the Apostle's astonishment would have been incongruous, as Tortus states in the preface, i, q. p. 53, citing St. John Damascene, *Sermones*, i, 4.

[*Latin ed. p. 379*]

Page, Section, and Number, Article 3, Rule 2, with St. Basil, St. Cyprian, St. Augustine, St. Hilary, and St. Ambrose. Regarding the text of Nicholas, whatever others may say, it is better understood in accordance with Gonnerius, De iuris matrimonialis controversiis, number 105; Frassen,

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Volume 10, page 274; Tournhem, Volume 7, page 57; his Contradictiones, page 31; Petrocorsius, Volume 3, page 170; Palearius, De baptismo, page 5, number 10; Salmerius, Chapter 3, number 38; Holzbauer, number 113. Nicholas merely stated this in passing and not from the chair; for he was not asked by the Pope whether baptism was valid by reason of the form, but only whether the baptism conferred by a Jew was valid, and there he explained, in passing, the opinion of St. Ambrose. What simultaneity of matter and form is required in baptism, see the aforementioned number 9. THIRD DOUBT. CONCERNING THE MINISTER OF BAPTISM. ARTICLE FIRST. WHO IS THE MINISTER OF BAPTISM? 113. Who is the minister of a valid baptism, and who are the blessed? 114. No one without commission can baptize outside of his diocese. 115. By whom should pilgrims or those born unexpectedly be baptized? And whether being quasi domiciled is sufficient to constitute someone as a parishioner of that place. 116. When can a deacon baptize? Doubt number.

[*Latin ed. p. 380*]

1. Whether one can validly administer baptism solemnly in times of necessity.

2. Whether a cleric or deacon who administers baptism solemnly without a commission acts irregularly.

3. Whether a layperson who administers baptism solemnly acts irregularly.

117. The order to be observed among ministers of baptism in conferring it in times of necessity.

Doubts:

1. Whether a layperson gravely sins who baptizes in the presence of a priest.

2. Whether one gravely sins who baptizes in the presence of an excommunicated priest.

3. Whether one gravely sins who baptizes in the presence of a deacon.

4. Whether one gravely sins who baptizes in the presence of an inferior cleric.

5. Whether parents gravely sin who have their children baptized by a preacher.

118. Notes:

1. Whether one can baptize oneself.

2. What delay in administering baptism is mortal.

3. Concerning which infants are prohibited from being baptized at home.

113. "Every person, using whatever means, of whatever faith or infidelity, status, or sex, validly administers [baptism], provided that he is a minister ordained and acting by virtue of his office, whether a priest having

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jurisdiction or a commission, or a deacon by his commission. However, in a case of extreme necessity, anyone who can validly administer [baptism] is thereby obligated to assist those in need." *Laym. lib. 5. t. 2. c. 7.*

"It is certain, and according to the faith, that baptism conferred by any person, whether man or woman, is valid." Thus it is concluded in the decree of faith of Eugene IV, and in the Council of Trent, Session IV, in chapter *Firmiter*, concerning the Holy Trinity, it is said: "Firmly, baptism is valid, both for little ones and..."

[*Latin ed. p. 381*]

Having heard in the Church's established doctrine that baptism contributes to salvation (contrary to Calvin and Bezá, who maintained that baptism could not be conferred except by pastors of the Church, ministers of the Word), and even if baptism is conferred by a heretic, as defined by the Council of Trent, Session 7, Canon 4, or by an unbeliever, as declared by Nicholas I in *c. A quodam*, Dist. 4, on Consecration, V. S. Th. q. 67, art. 3 and 4. However, it is not licit for baptism to be administered by anyone other than a priest, except in the article of death, as stated in D. Th. d. qu. 67, art. 2 and 3, from *c. Constat, de consecr.*, d. 4, where St. Isidore says: "It is clear that baptism is to be administered only by priests; and it is not licit for even deacons to perform this ministry without a bishop or presbyter, unless, in the absence of these, the last necessity of suffering compels it." This is also generally permitted to lay faithful, so that no one may be taken out of this world without a saving remedy. Therefore, outside of the article of death or danger, as rightly stated by Salmeron in *de bapt.*, chap. 4, n. 16, with others (in which, if a priest or cleric is lacking, any layperson can baptize, indeed, is obligated to do so, as Salmeron states, n. 19, with St. Antoninus, etc.), there are two ministers of baptism: the first is ordinary by office, the second is an extraordinary minister by commission. The ordinary minister is also one of solemnity.

[*Latin ed. p. 382*]

The bishop, just as any priest, as Eugenius IV declares in his decree, stating: "The minister of the sacrament is the priest, to whom, by virtue of his office, it belongs to baptize." It is added that, with the permission of the bishop, as is commonly said by all, with Peter, vol. 3, p. 174, and as is approved by Cont. Tourn., vol. 4, p. 351, from Tertullian, St. Jerome, St. Ignatius, etc. Furthermore, the parish priest is also considered an ordinary minister of baptism, as all say: because, immediately after being approved by the bishop, the parish priest receives from him the license to baptize; which, by common law, is stable and cannot be withdrawn without just cause; and therefore, the parish priest can entrust the administration of baptism to other priests, as Tourn. teaches, p. 352; Spor., p. 189, n. 34; Salm., c. 4, n. 35, and others commonly. 114, n. 1. o Neither a deacon, nor a parish

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priest, nor a bishop, without a commission, may lawfully baptize outside their diocese or parish, or within the territory of others (from c. 16, "We forbid that..."). Therefore, parents also sin who, without the license of their prelate, take their child elsewhere to be baptized, violating the rights of the parish priest. Laym., loc. cit., n. Here are several things to note. o Pilgrims or those who do not have a domicile can be baptized in the church that they choose, from c. Nec numerus, qu. 3: Croix, lib. 6, p. 1, n. 275; Salm., cap. 4, n. 37, with Barb. If, however...

[*Latin ed. p. 383*]

A woman: gives birth in a Pago: her own; the offspring are subject to the parochus of that Pago; they are to be baptized. However, if that Pago is not very distant from her own Pago, for example, two or three hours; the offspring can also be baptized in her own church. Croix, n. 375, with Gob. . . . . A. . . . . 113. But here, the doubt is whether an outsider can receive baptism and other sacraments from the parochus of their proper domicile, or whether they can also receive them from the parochus of the place where they are, as if it were their domicile. There are two probable opinions. The first says that one ought to receive from the parochus of their proper domicile to which they will return. This is held by Henr., l. 11, c. 3, n. 3, as well as Rodr., Segura; and Led. ap. Salm., de matr., c. 8, n. 29; who consider it probable, along with Pal., d. 2, p. 12, §. g, n. 8, at the end, and Sanch., de matr., l. 3, d. 23, n. 13; who calls it most probable, along with Host., Rosel., Ang., Silv., Tamb., and many others. Because, as they say, if one has a proper domicile, one cannot be considered a parishioner of the place where one resides only temporarily, due to some business; otherwise, one would have two parishes of residence, which one cannot have unless one actually resides permanently in both places, as stated by Sanch., lib. 3, d. 24, n. 5, Pont., l. 5, c. 16, n. 1, and Salm., l. c., n. 32, with Bon.; Peri., Coni., Trulk., etc.; commonly from e. 15, de sepulturi, 6, and leg. discursio, §. Hiri, ff. ad municip.

[*Latin ed. p. 384*]

Concerning Residence. The second opinion, which is more prudent and widely held, as stated by Barbatus in *De Potestate*, part 2, section 32, with numerous authorities cited by Sanchez, book 3, chapter 23, paragraph 12; by Crois, book 6, page 3, paragraph 721; by Pontius, book 5, chapter 12, paragraph 4; by Palafox, book concerning ecclesiastical matters, paragraph 9; and by Salmeron, paragraph 30, along with Bellarmine, Cardinal Cajetan, the Council of Trent, and others (as Salmeron and others state, citing Sanchez, paragraph 13; they also mention this opinion), teaches that foreigners may receive the sacraments from the parish priest of the place where they have established a quasi-domicile. A quasi-domicile is established by one who resides in a place not merely as a transient, but for a

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significant portion of the year, or with the intention of remaining there for the greater part of the year, as Sanchez states in book 3, chapter 23, paragraph 12; as Sylvester explains in *De Domicilio*, paragraph 4; and as Salmeron states in paragraph 30, along with Bellarmine, Palafox, Pontius, and others. Layman, in book 2, treatise 4, chapter 12, paragraph 1; Navarret, *De Jubilæis*, 32, in the section concerning inhabitants, paragraph 33; and Benedict XIV, in *Notificatio*, 32, paragraph 6, confirm that a significant portion of the year is sufficient to establish a quasi-domicile for reasons such as business, study, or the exercise of professions such as judge, physician, professor, merchant, craftsman, and similar occupations. The reasoning behind this opinion is that, through a quasi-domicile, one is considered a parishioner of the place where he resides, as is explained in the final chapter concerning parishes, where those who are joined to a parish...

[*Latin ed. p. 385*]

1. The cause of a dispute concerning baptism is already mentioned in that parish.

2. It is permissible to baptize in Alia with the express or reasonably presumed permission of the proper priest. Mir. Henr. et Salm. ibid. n. 38.

3. Religious [persons] can baptize in cases of necessity or with the permission of the ordinary minister. Sal. n. 39. Petrec. p. 217, etc.

4. A priest, without permission and outside of necessity, commits a grave sin by baptizing, even without solemnity, according to Clem. unic. de bapt. & Vasq., Conc., Laym. et Salm. e. 4. n. 41, and generally.

5. Outside of necessity, no one can lawfully be baptized at home, except for the children of a prince, according to the same Clem. un. Con., Sa, Salm. n. 42. But see what is said in note 118, note 3.

6. 116. s. 2.

7. A deacon can baptize not only in extreme necessity but also in other notable circumstances. Indeed, with solemnity, by the commission of a bishop or priest, as if, for example, because of the multitude to be baptized or some other grave impediment, they themselves are unable to do so. Laym. l. c. s. It is certain that a deacon can baptize by the commission of a bishop or priest, as Juven. l. 7. p. 163, Petrec. l. 5. pag. 174, and others generally state in chapter Diaconi, dict. 93., where Pope Gelasius said: Deacons, without a bishop or presbyter, should not dare to baptize, unless, given the aforementioned established orders, extreme necessity compels them.

[*Latin ed. p. 386*]

What is permitted to Christians to do is generally granted. From the aforementioned passage, it is inferred from Genesis, volume 6, page 94, that such a commission cannot be given to a deacon unless due to a great necessity or the benefit of the Church, and that priests are not present, or, as Scarron states in book 25, section 2, Palafox in page 11, margin 5, Sporer in

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volume 3, page 189, note 35, Holzmüller in page 26, note 125, Croix in note 276, Elbing in volume 3, page 31, note 29, Layman in chapter 27, with Soto and Vasquez, unless a large number are to be baptized, or unless the parish priest is gravely ill, excommunicated, or otherwise occupied with hearing confessions or preaching, as is gathered from the Acts, chapter 6, where the Apostles, intending to appoint deacons, said: "Brethren, look out for men of good report, filled with the Holy Ghost and with wisdom, whom we may appoint over this business." But the question arises: can deacons, in times of necessity, solemnly baptize? Suarez states in book 23, section 3, and Sporer considers it probable in note 35, along with Praepositus, Hernecx, and others. But Palafox in paragraph 11, note 5, Rensi in chapter 3, fourth part, with the Council and Diana, Salmeron in chapter 4, note 45, with Layman, etc., present a more reasoned and probable opinion. The reason is that a deacon cannot be the minister of a solemn baptism unless by the commission of a priest, and only in the priest's stead can he solemnly baptize. Therefore, deacons without a commission.

[*Latin ed. p. 387*]

It is solemnly administered, baptism incurs irregularity. It is certain that clerics, but not deacons, who solemnly administer baptism are irregular, according to chapter "Si quis etc." concerning non-ordained clerics, where it is stated: "If anyone should baptize or perform any divine office without being ordained, he is excommunicated from the Church for temerity and will never be ordained." As for deacons, some may incur irregularity themselves, because in the aforementioned text it is stated that the non-ordained are irregular; but a deacon is already ordained to baptize, as is stated in the Pontifical: "It is necessary for a deacon to minister at the altar, to baptize, and to preach." However, it is more probable to say that he incurs irregularity (whether in necessity or outside of it) when he solemnly baptizes; this is the common opinion held by Laynd de irreg. c. Si n. 2, Cont. Tourn. tom. 4, page 334; N. Alex. de bapt. prop. 2; Habt xi 5, page 196; Renzi de bapt. cap. 3, qd 5, with Bon.; Viva de irreg. qu. 10, d. ii, n. 3; Bon. ibid. iii, p. 6, n. 5, with Nay; Avila et Sayr. The reason is that, although a deacon is ordained to baptize, he is ordained to do so only by the commission of a bishop or a priest, who are the sole ministers of the sacrament of baptism, as we have seen. Therefore, from those words in the text, Laynd and Viva correctly infer that a deacon, or any other cleric, is not necessarily irregular if, in a given circumstance, he baptizes.

[*Latin ed. p. 388*]

Or, through crass ignorance, he may solemnly administer baptism; for rashness implies positive knowledge along with some degree of contempt. Question 3: Whether a layperson who solemnly administers baptism incurs irregularity. Suarez affirms this in *3. p. d. 31, sect. 4*, along with Sotus,

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Silvestri, S. Antoninus, Paludanus, and the Council of Trent, *4, 8, page 155, n. 8*, along with Navarrus, Philippus, and Leander. Because the text in chapter *Si quis generaliter loquitur* should not be restricted to clerics alone. However, it is more commonly and plausibly denied by Paludanus, *de irreg. page 18, n. 50*, Bonaventure, *l. c. n. 1*, Holzmüller, *t. 1, page 417, n. 346*, Viva, *l. c.*, Salmeron, *de censur. c. 8, n. 74*, Lugo, *de poenit. d. 18, n. 14*, Spotorius, *eod. iii, n. 65*, Croix, *lib. 7, n. 485*, along with Hartmann and Laymann, *l. c. n. 3*, along with Sanchez, Cevallos, Anglerius, Arminius, Rodriguez, etc. The reason is that irregularity is not incurred unless it is expressly stated in the law, as is stated in the chapter *Is qui*. However, this irregularity does not seem to be expressly stated; although the text speaks generally, since the title is about a cleric administering, those general words should be understood in accordance with the title that precedes the text. Indeed, Laymann believes that it is sufficiently expressed in the same chapter, since it is said there: "Let him be cast out of the Church"; which should properly be understood as a deposition, by which only clerics are punished: and the reason for this may be (according to Laymann), because...

[*Latin ed. p. 389*]

It often happens that the sin of usurpation is more frequent among clerics than among laymen. 117. § 3. When baptism is administered out of necessity, the order must be observed, so that, if a priest or deacon is present and does not object, he should precede the others. Thus, a cleric should baptize a layperson, a man a woman, a faithful person an unfaithful one, unless, perhaps, a woman knows the proper method better, as is often the case (as noted in Psalm 4, n. 18, with Moscova; which, therefore, must be examined and approved by pastors), or there is another just reason, such as that it does not befit a man to attend a woman in childbirth. (Similarly, if only the father is present, the woman should baptize, because, outside of extreme necessity, it is forbidden for parents to baptize; Croix, v. 277, with Gob.; and in the case where a newborn child is to be baptized immediately after birth, the woman should baptize, as Croix rightly notes, n. 77, with Platel.) If a layperson baptizes in the presence of a priest, and, according to some, even in the presence of a deacon, it is considered a mortal sin; because this is only permitted to a layperson due to the absence of a priest, who cannot, without injury to the order and the sacrament, grant such permission. In other cases, the perversion of that order is only venial (as commonly held by Bon., Sot., Dic., and Salm., c. 4, n. 7.), unless a heretic is used in the presence of a faithful person; in which case, Laym. c. 7, n. 4, considers it to be mortal.

[*Latin ed. p. 390*]

Concerning the order to be observed among those administering bap-

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tism, it is thus stated in the Roman ritual. If a priest is present, he is to be preferred to a deacon; and a parish priest to a priest (as rightly say Tourn., vol. 4, page 355, and the Council, vol. 8, page 124, no. 5; see the aforementioned no. 113, at the end). A deacon is to precede a subdeacon, a cleric a layperson, and a man a woman, unless modesty dictates otherwise, as it is more fitting for a woman than a man. An infant who is not entirely born, or if a woman knows the form and manner of baptizing better than a man, should be baptized. Therefore, the parish priest must take care that the faithful, especially midwives, diligently observe and maintain the correct rite of baptism. Hence, it is reasonably held by Spor. in suppl. tom. 4, no. 190, and by Gob., that parish priests are obligated to carefully examine midwives to determine whether they know what is necessary for baptizing, since they are bound under mortal sin to learn the manner of baptizing, as rightly taught by St. Antoninus, Reginald, Henry of York, Avila, and others, as well as Croix, lib. 6, page r., no. 270. It does not impede this if others may be present who know the form, for which reason they seem to excuse the midwives. Suar., Diana, and Dic. ibid. For it is their duty, by virtue of their office, to be present with the women in childbirth, and it often happens that they have the opportunity to administer baptism in times of necessity. But the doubt arises: 1st, whether a layperson sins mortally who baptizes in necessity, when a priest is present. The answer is: No. Smat., Val., etc., apud Salm.

[*Latin ed. p. 391*]

c. 4, n. 11, and it seems probable to Led., because the priest, in a case of necessity, does not baptize by virtue of his office, and therefore the layman does not usurp his office. But it is truer to affirm, as Suarez states in d. 31, sect. 4, Tourn. in t. 4, page 335, Conc. in page 154, n. 6, Hohzm. in page 25, n. 121, Salm. in c. 4, n. 14, Pal. in p. 9, n. 10, and generally Laym., Con., Vasq., Bon., etc., from cap. 21, dist. 4, concerning consecration, where St. Augustine teaches thus: "In necessity, when neither bishop nor presbyter nor any minister is found, and the danger of the one who asks is pressing, it is customary to give the sacrament which he has received to the laity." Therefore, a layman can only baptize in necessity when a priest is absent; otherwise, he sins, both because he would then truly usurp the right of the priest, to whom baptism has been entrusted by the authority of his ordination, and because he would inflict an injury upon the sacrament, which requires (when it is possible) to be administered by a priest, since it is dedicated to that purpose; and therefore, a priest would also sin gravely if he ceded the administration to a layman, as Suarez and Conc. rightly state.

The following question is raised: "Whether, in the presence of an excommunicated priest, a non-excommunicated layman should be preferred." Scotus, Henry, etc., as cited by Renzi in cap. 3, q. 2, and also

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Leander and Cornelius, as cited by Salm. in cap. 4, n. 14, deny this; because, in extreme necessity, even an excommunicated person is permitted.

[*Latin ed. p. 392*]

The privilege of baptizing is granted, and therefore, in that case, the order of common law must be observed. However, it is more truly affirmed by Suarez, *d. 11, sect. 1*; Navar, *man. cap. 22, n. 6*; Palafox, *p. 9, n. 12* (who holds this as certain); Salm, *n. 15*, with Gabriel; Renzi, *loc. cit.*, with Sylvester; Henry, etc. The reason is that the privilege is granted to the excommunicated only in the single case of necessity, which is not present when another, not excommunicated, is available.

Doubt 3: Does a layperson sin gravely by baptizing before a deacon? The first opinion affirms this, and this is held by Gonet, *man. t. 6, p. 96*; Holzmüller, *p. 25, n. 121*; Tournhem, *t. 4, p. 335*; Antoine, *q. 8*; Council of Trent, *t. 8, p. 155, n. 7*, with Vasquez, Reginaldo, Fillon, etc.; Renzi, *c. 5, q. 1*, with Concina, Praepositus, etc.

It is proven in 1. from St. Augustine, as mentioned above in chapter 21, dict. 4, where it is said that a layperson is permitted to baptize only in necessity, when neither a bishop nor a priest, nor any of the ministers, can be found. And by the name of ministers, deacons are commonly understood.

It is proven in 2. by reason: a deacon, by the force of his ordination, is deputed to baptize by the commission of the parish priest; therefore, he himself possesses a special right to perform this duty. This opinion is indeed probable; but it seems to me no less probable than the second opinion of Salm, *c. 4, n. 9*, which is held by Suarez, *d. 31, sect. 4*, and Sotelo.

[*Latin ed. p. 393*]

d. 4. art. 2., Tol. l. 2. c. 20. n. 8., Ronc. c. 3. q. 1., Bon. q. 2. p. 5. n. 11., with Sa, Val., Con., Henr., Reg. and Graff.; also Silv., Led., Dian., Vill. etc. The reason is that to a deacon, by virtue of his ordination, the office of baptizing does not belong, except by the commission of a priest. Therefore, when he baptizes in a case of necessity without a commission, he does not baptize by virtue of his office, but in the same way as a lower cleric or a layperson, as stated in nos. 116, 1 and 2. And although he, being of higher rank in law, is preferred to them, this perversion of order does not appear to be so grave as to merit a mortal penalty. Doubt 4th: Whether a layperson baptizing, in the presence of a lower cleric, commits a mortal sin? It seems to be affirmed by Conc. t. 8. page 157. n. 7., when it says that, by divine law, order should always be observed with great care, unless necessity prevents it. On the contrary, Pal. p. 9. n. 11. says that there is no sin, since no divine or ecclesiastical precept is found regarding this matter. However, others commonly teach that it is not a mortal sin, because such a perversion of order does not seem to be so grave, since, by virtue of order, no one, except

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the priest and the deacon, is specially appointed to baptize. On the other hand, it does not seem to be excused from venial sin; firstly, because it seems to be some degree of impropriety; secondly, because it is contrary to the prescription of the Roman Ritual. Thus, Sot. Lig. Theol. Mor. Vol. VIII.

[*Latin ed. p. 394*]

In the fourth distinction, fourth article, second part, Suarez, book 31, section 4; Gonzalez, manual, volume 6, page 96; Petrocchi, volume 3, page 181; Bona, page 1, number 12; Holzmeister, number 121; Spotorno, number 35; Roncaglia, question 1, response 2; Renzi, question 1; with Layman and Salmeron, chapter 4, number 7; with Villalobos, Leander, and Gabriel, doubts, number 5; concerning whether parents sin gravely who have their children baptized by a heretic, because the aforementioned edict commands that this be done to avoid penalties. La Croix, book 6, page 1, number 281 and 282, although he admits that the affirmative opinion should be held as absolutely true, nevertheless afterwards he presents reasons for doubting, saying that in that case the heretic is not recognized as true, but rather as a valid minister, from whom baptism is requested to avoid vexation, and therefore it can be done, but not by requesting that his impious ceremonies be used. But it must be absolutely affirmed that this is a mortal sin, as taught by Lessius in his augmentation on Baptism, case 2; Pignatelli, volume 7, consultation 55, number 2; Holzmeister, volume 2, page 27, number 132, with Michael; because by the same penal edict, parents are led to despise the true religion, or at least to honor the false one. Pignatelli also reports that Clement VIII had already declared that it is not permissible, except in extreme necessity, to request sacraments even from schismatics. 118. Finally, it should be noted that it is never licit or valid for anyone.

[*Latin ed. p. 395*]

One must baptize oneself, since the person baptizing must be entirely different from the person being baptized. Thus, commonly, *Controversae de Tournon*, vol. 4, page 337; *Conciliorum Decreta*, p. 157, n. 12, and others, from chapter 4 on baptism, where this is expressed. Note 2: It is gravely sinful for those who delay the baptism of a child for a long time. This is common among all, as evidenced by several provincial councils which decreed that children should be baptized as soon as possible; and in the Roman ritual, it is stated: "The parish priest should urge that the sacrament, which is so necessary for children, should not be unduly delayed, lest there be danger to their salvation." As for what constitutes a serious delay, Palearius, p. 8, n. 4, citing Suarez, etc., believes that a delay of more than a month is serious, unless there is a reason for it; if there is a reason, a delay of two months is serious. Layman, chapter 6, n. 9, expresses a similar opinion, saying: "However, there is usually no need to delay, even if one

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or a month and a half must be waited, until baptism can be conferred upon the child with due solemnity; although the delay should only be made for a serious reason." Salmeron, chapter 5, n. 12, believes that it is no less sinful to delay baptism for less than 15 or 20 days, even without an urgent reason. Juenius, on the other hand, in his usual manner of urging consciences to the extreme, says that baptism should not be delayed for more than one or two days. Tournhem, vol. 4, p. 338, believes that a delay...

[*Latin ed. p. 396*]

It should not be extended beyond five or six days. Petroc. vol. 3, page 212, question 13, considers a delay exceeding eight days to be grave. However, it is more commonly and probably held by Sotus, Leand., and Led. in *Conciliorum* vol. 8, page 167, number 19, and by Ronc. question 3, reply 2, that a delay is not considered grave unless ten or eleven days are exceeded. Note that children are prohibited from being baptized at home, except for the children of kings or princes, as is stated in Clementine, *De Baptismo*. And since this concerns a grave matter, the transgression will indeed be mortal, as rightly stated by Ronc. chapter 3, question 3, Tamb. chapter 2, section 3, number 5, and Silv. in Croix, number 337. By the term "children," are understood not only sons, but also grandsons and others descended, as noted by the Glossa in Clementine, *De Baptismo*, on the word "Liberi," from the law *De Liberorum*, in the sections on the signification of words. And in that case, Pal., Concil., Tol., Sot., etc., with Croix, number 338, contrary to others, hold that baptism should be conferred solemnly, because only a case of necessity excuses the omission of the ceremonies. Regarding the term "princes," Jord., Ricc., Quintan., and Croix in the aforementioned place, probably hold that all barons possessing temporal jurisdiction are included. But it seems more probable, with the Glossa ibid., Ronc. in the aforementioned place, Suar. part 31, section 2, Tamb. number 7, Tourn. vol. 4, page 335, question 2, Elb. vol. 3, page 45, number 84, and others, that it is understood to refer only to the sons of princes with absolute power.

[*Latin ed. p. 397*]

Those who have power. Also, Layman, chapter 6, number g, following Arminius, considers it a grave sin for nobles to have their children baptized at home (or even privately in the church, as Silvester, question 71, answer 4, states, following Navar and Ledwich), so that the ceremony may then be performed with pomp in the church after the godparents have arrived; these, having already received baptism beforehand, are not made godparents. However, despite these considerations, I believe that when the custom of baptizing the children of nobles at home has been introduced, it is not easily to be condemned, as Croix states in the aforementioned passage.

ARTICLE SECOND. CAN TWO PERSONS BAPTIZE

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SIMULTANEOUSLY?

119. *Respondet R.* Response 1. If one applies the matter, and the other the form, there will be no baptism: because he who says that he is cleansing himself, when he is not cleansing himself, has a false form, even if he uses the form of the Greeks – "Baptize you, servant of Christ" – or what is considered equivalent to it – "Baptize you, Christ"; for it is understood through me: otherwise, if the person of the minister is excluded, as the sense would have it – "Baptize you, Christ, and not I, or through me" – there is no form. (Thus, St. Thomas, 3rd part, question 67, article 6, and others, commonly with Salmeron, chapter 4, number 31, and the Council, page 156, number 10.) However, in a case of necessity, it is possible, under a condition.

[*Latin ed. p. 398*]

Thus, baptism is conferred in such a way that, for example, a mute person, not knowing the form, might be washed, while a blind person might pronounce the form, as Hurt teaches in *Disputationes*, part 2, difference 6; and he adds that such a person, once the danger has passed, ought to be baptized again, under condition. See Fillius, chapter 4; Diaz, page 3, volume 5, response 26, citing Chapevil, Marsilius, etc.; Bonaventure, part 2, question 2, paragraph 4, number 33; Layman, chapter 7. (Thus also Suarez, with Cajetan, Marsilius, Leander, etc., in Salmeron, chapter 4, number 31.) "120." "Response 2." If several ministers individually wash and pronounce the form, they gravely sin against the custom of the Church. The distinction is usually made as follows: 1.° If anyone intends to baptize, depending on another, as in the case of a particular circumstance, they do not validly baptize, whether they say: "I baptize you," or: "We baptize you"; because the form, the meaning of which is considered to be absolutely and independently to baptize, and not to co-baptize, is false. (St. Thomas teaches the same in *Summa Theologica*, 3, part, question 67, article 6, with Suarez, Vasquez, and Salmeron, number 23, in common.) 2.° If each intends to baptize by himself, independently of another, they validly baptize, because they fulfill all the requirements; as is clear from a similar case in the Mass of Ordination, in which newly ordained priests consecrate together with the bishop, provided that they simultaneously utter the same form; but if they do not utter it simultaneously, only he who uttered it first consecrates or baptizes. See Fillius, volume 2, chapter 4, number 72.

[*Latin ed. p. 399*]

And Bonaventure, loc. cit., no. 25; Layman, ch. 7. (Thus, St. Thomas, loc. cit., ad 3; St. Bonaventure, with Salm., no. 28, generally against Cajetan and Marsilius.)

FOURTH DOUBT. WHAT IS THE SUBJECT OF BAPTISM?

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121. Who is capable of baptism? Are infants and the mentally impaired?

122. Concerning the penalties for those who rebaptize. Whether those who rebaptize under a condition become irregular.

123. Concerning an infant not yet born. Reference to no. 107.

124. Whether abortive fetuses should be baptized. And pharisees, at the same time.

125. Whether baptism should be conferred upon monks.

126. Whether the children of unbelievers should be baptized, and what is certain in this matter. It is certain that 1st, such a baptism is always valid.

127. 2nd, the children should be baptized, even if the parents are deficient in faith. What if they are living among heretical parents?

128. 3rd, if the children themselves, who are unbelievers, request it. What if there is doubt whether they lack reason?

129. 4th, if they are in danger of death.

130. 5th, if they are placed outside the care of their parents.

131. 6th, if they are captured in war.

132. 7th, if the parents are slaves.

133. 8th, if one of the parents consents.

Doubt 1st. Whether the children of unbelievers, lacking the use of reason, can be baptized against the will of their parents. And whether it is permissible if the father offers them to be baptized in order to be freed from illness.

134. 2nd. Whether it is permissible to sell infants to pagan parents.

Whether and when can baptism be repeated under a condition?

Note 1st. What if one witness is present?

[*Latin ed. p. 400*]

Regarding the sacrament of baptism conferred. 2.º Concerning those born as adults, from Christian families. 3.º What if children are taken by barbarians? 135. Concerning exposed infants. 136. Concerning those baptized by midwives and laypersons. 137. Concerning those baptized by heretics. See other matters in Bus. 138. Concerning the effects of baptism. 139. Concerning the disposition required in adults to be baptized. 121. "R. SP. 1.º The subject capable of baptism is only a living human being descended from Adam, who has not yet been baptized." "Resp. 2.º Infants are validly baptized, as are also those permanently deprived of the use of reason, since they are considered to be in the same condition as infants. However, if they have ever used reason, the baptism is not valid unless they have first made an act of contrition. See Bon. d. 2. qu. 2. p. 6. c. 6., Laym. c. 6." "Therefore, it is resolved: 1.º If a child dies before the completion of the form during baptism, the baptism is null." 122. "2.º A repeated baptism is not valid, and therefore both the one who rebaptizes and the one who

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is rebaptized commit a mortal sin, become irregular, and are subject to the penalty of death under civil law. (This is certain from Salm. de bapt. c. 6. n. 4.) However, it does not seem that those who, even without just cause, rebaptize incur these penalties, provided that they do so under the condition: because they are understood to be referring to baptism."

[*Latin ed. p. 401*]

Given the absolute date, when it is morally certain that the prior baptism was valid. See Layman's commentary, chapter 5; and Bona's commentary, part 5. "It is certain that when baptism is repeated without a just cause, both the one who rebaptizes and the one who is rebaptized are irregular, according to chapter 2 on apostasy, and chapter 4, distinctio 5." But a great question exists among Doctors concerning whether the one who rebaptizes, under a condition and without a just cause, incurs irregularity. The first opinion, which is held by Suarez, 3rd part, disputation 31, section 6, d. 5; Navar, manual, chapter 27, number 246; Bona, on irregularities, question 3, page 3, number 4; Layman, ibid., title, chapter 2, number 1, v. 4; Palearius, volume 6, distinction 6, page 16, number 6; Anaclasius, page 513, number 11; Holzmüller, volume 1, page 416, number 343; Salmeron, chapter 8 on irregularities, number 61; Croix, volume 6, number 485; Pontanus, in "Irregulariter," case 131; to which Tournhem, volume 4, page 103, at the end, dissents, says that such a rebaptizer, although not excused from grave sacrilege, does not incur irregularity. The reason is that penal laws must be strictly understood and with effect; but he who baptizes a baptized person under a condition, saying: "if you are not baptized, etc.," truly does not rebaptize, because the condition imposed invalidates the act; for he who says: "I baptize you, if you are not baptized," is the same as if he said: "I do not baptize you." And for the same reason, Anaclasius, in the aforementioned work, and Salmeron, number 61, with Bona, Cornaro, and Avila, hold that [irregularity] is not incurred.

[*Latin ed. p. 402*]

The irregularity of one who, out of fear, baptizes a baptized person with a feigned intention. The second opinion affirms that those who rebaptize in such a manner do not escape the irregularity, and this is held by Nat. Alex. de bapt. prop. 7. r. 5., Conc. t. 8. p. 186. n. 13., Fill. tr. 20. n. 182., Renzi de bapt. cap. 3. qu. 10. with Led., Sot., Victoria, etc. Also, our Most Holy Pope Benedict XIV, in his notifications, t. 2. not. 84. n. 18. with Sayr., Barb., Ugolino, Megala, etc. This is proven from the Roman Catechism, part 2. n. 57, which, rebuking those who rebaptize children in the church under a condition, even though they know that the children have truly been baptized at home, says: "Indeed, they cannot do this without sacrilege, and they incur that stain which the writers of divine matters call irregularity." Furthermore, the same [catechism] states that it has been decreed by the

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pontiff in the third synod of Milan. Moreover, it is proven by reason, because when someone certainly knows that a child has been baptized and rebaptizes under a condition, the condition is added in fraud of the law, and therefore it is considered as not having been added. The first opinion, considered in light of reason, is not without a serious foundation; but the second, considered in light of authority, seems more probable. 123. » 3.º A person who is not yet perfectly formed should be baptized if there is danger, provided that some part of the body can be immersed: because he is a living human being, and it is not certainly known that he is incapable [of receiving baptism]. (See the statement in n.)

[*Latin ed. p. 403*]

107. Where we stated that it is probable that an infant can be baptized in the womb, under the condition that it can be touched by water through an instrument.) 124.) 4th. If it is doubtful whether an infant lives, it must be baptized under the condition. Nat. Alex. in *De baptismo, proprietatibus*, 3rd book, 3rd chapter, states that unless there is an evident sign of life in an aborted fetus, baptism should not be given, even if there is some ambiguous sign. If we are speaking of baptism administered absolutely, Nat. is correct; but when speaking of baptism conferred under a condition, it must certainly be said, as Bus. states above and Salm. in chapter 6, number 3, that it must undoubtedly be administered whenever there is any doubt about the life of the offspring. Hence, the Cardinals in *Crisis*, 1st book, 15th chapter, 3rd section, Ronc. in *Cœp.*, 4th question, 3rd reply, Maxz. in volume 3, page 85, and Croix in book 6, page 1, number 294, along with other most serious authors, rightly hold that all aborted fetuses, if they show a sign of life through some movement and it is not certain that they are without a soul, should always be baptized under the condition that they live, especially since today the opinion prevails, which is received with approval by experts, that the fetus receives a soul from the beginning of conception, or at least after a few days. Furthermore, Tourn. in volume 4, page 363, rightly observes that a mass of flesh which has no arrangement of organs should not be baptized, because...

[*Latin ed. p. 404*]

It is necessary that the soul be infused into the body before this form is uttered; and then, in order to be baptized, it is required that some vital movement be indicated, as prescribed by the Roman ritual concerning the baptism of infants, section 5. He is validly baptized whom the minister believes to be another, or, although she is a girl, whom he believes to be a boy; because he intends to baptize the one present. This is different in marriage; because he intends to contract a marriage with the one whom he believes to be such. Bon. p. 4. n. 26. ”6. Validly, and although illicitly outside of necessity, several can be baptized together with this form: *Ego

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vos baptizo* etc. Bon. p. 4. (Thus, *Summa Theologica* 3, question 67, article 6, ad 2, and the Roman ritual, where it is said: This form, *Ego vos baptizo* etc., is to be used only in cases of mortal danger when several are to be baptized together, and when time does not permit each to be baptized separately; otherwise, it is never to be used.)" 125. "7. A monster which has the form of a human being in its head and chest is to be baptized; otherwise, if it has a bestial form. But if it has only a beastly head, some, such as Comit. and Nav., believe that it should be postponed until it is more certain; unless mortal danger is imminent, in which case, under the condition that it is to be baptized, it should be baptized. (When there is doubt whether a monster is a human being, it is to be absolutely baptized if the head is human, even if the limbs are not.)"

[*Latin ed. p. 405*]

They are to be considered as beasts; however, under the condition that the head is that of a beast and the limbs are human; this is so if it arises from the union of a man with a woman. For if it arises from the union of a man with a beast (which I consider incredible), then it should always be baptized under the condition; otherwise, if it arises from a woman and a beast; then it should in no way be baptized, because it does not descend from Adam, since it is not conceived from male seed. Thus Bonaventure, page 6, number 3, and Tournhem, volume 4, page 362, conclusion 2, along with St. Thomas, Henry of Gand, and others.

If it has double human limbs and one is doubtful whether it is one man or two, then a double baptism must be conferred, one absolutely, and the other under the condition, in that part where the limbs appear to be imperfect. See Layman, book 5, treatise 2, chapter 3; Bonaventure, page 6; and the Roman Ritual, book 3, on baptism.

(It is necessary to retain here what is found in the Roman Ritual, which says thus: "Concerning that of which there is doubt whether it is one or many persons, it is not to be baptized until it is determined. It can be determined if it has one or many heads or chests: then there will be so many throats and souls, and in that case, each must be baptized separately. When, however, it is not certain in the minister that there are two persons, either because it does not have two clearly distinct heads and chests, then first one must be baptized absolutely, and then the other under the condition—if you have not been baptized, etc.")

[*Latin ed. p. 406*]

126. "Tertio loco, illi qui sunt in periculo mortis validissime baptizantur, sed non licite, infantes ethnicorum, contra voluntatem parentum. Ratio huius est quia aut parentes sunt privati hujus sacramento, et illis fit iniuria; aut sacramentum ipsum est derelictum, et fit iniuria sacramento, quod exponitur irreverentiae. Sed si possint christiane educari (ad quod tunc

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obligaberis), licebit in sequenti casibus. 1.º Si parentes sint tua mancipia; tunc enim tui potius sunt quam illorum. 2.º Si parentes aliquando fuerunt baptizati, vel uterque vel saltem alteruter; quia tunc ecclesia jus in eos habet. 3.º Si alter parentum petat; tunc enim justa ejus voluntas injustæ alterius præferenda est in favorem prolis et fidei. 4.º Si infans sit in periculo mortis. 5.º Si rationis iam compos puer petat; quia in negotio religionis est sui juris. In dubio autem de usu rationis, sufficit esse septimus annorum. V. Laym. l. c., Fill. t. 2. c. 6., Bon. p. 6. n. 12."

"Quaestio: Num filii infidelium valide et licite possint baptizari, contra voluntatem parentum? Ante omnia hic notanda plura quæ in hoc puncto sunt certa. Certum est 1.º tale baptisma validum esse, ut communiter dicunt Cont. Tourn. t. 4. pag. 364., Lugo resp. mor. l. i. dub. 3., Salm. c. 6. n. 10. cum S. Antonin., Suar., Vasq., Laym., Conc., Bon. et aliis passim, contra Catharinum et Durandum. Idemque docet N. SS. P. Bened. XIV."

[*Latin ed. p. 407*]

In his distinction concerning vicars, which begins in the last month of the year, number 33, volume 2, in the bullarium. Likewise, previously, Saint Augustine taught in epistle 98, and also in epistle 23, where he gave a reason for this, saying: "For it is not written: unless someone is born again from the will of parents; but: unless someone is born again from water and the Holy Spirit." Certain authorities hold that, if parents are lacking in faith and are unbelievers, their children can, against their will, be baptized; because, just as the Church has the power to compel parents to observe the faith, so too can she take children away from them. Thus, commonly, Suarez, d. 25, section 3; Lamy, l. 5, c. 6, number 11; Nat. Alex., prop. 3, reg. 1; Pal, p. 6, number 9; Tourn., t. 4, page 374; Spor., t. 3, p. 192, number 52; Antoine, on baptism, question 13; Ronc., ibid., title, question 2; Holzm., t. 2, number 141; Salm., c. 6, number 15, and others, throughout. And the same is to be said if only one of the parents is previously faithful, as commonly say Croix, l. 6, p. 1, number 299; Antoine; Ronc., ibid.; Salm., numbers 9 and 10; Suarez; Lamy, etc. But what if the children are to remain with heretical parents? Then, they cannot be baptized, say Suarez, d. 25, section 5, and Salm., number 16, with the Council, etc.; because, (as they say), there is then the imminent danger that the children will be perverted. But it is more probable, say Lamy, c. 6, number 12, question 5, at the end, and Croix, number 307, with Av., Gob., Arsd., and.

[*Latin ed. p. 408*]

Paladus, in his position, deems it probable (n. 10). The reason is twofold: first, because there is no certain perversion of such offspring, since many children die in infancy; and second, because the same danger applies if the offspring is not baptized; for it is baptized by heretics, from whom true baptism is indeed conferred. However, it should be said differently

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if baptism is invalidly conferred by certain heretics, as happens among the Lutherans, Anabaptists, and Calvinists; because in that case, the offspring of these are considered as the children of unbelievers, as Croix states (n. 303) in his Dictionary. Furthermore, the children of heretics who are truly baptized are lawfully baptized, even without the consent of the parents, when they can be compelled to instruct their children in the Catholic faith; and otherwise, superiors in the Church can lawfully take them from them to be educated in the Catholic faith. Thus Laymann (n. 11) and Croix (n. 303) state, as well as *Avvocato della Fede*, Dictionary, etc., 128. It is certain that, thirdly, if the children of unbelievers have the use of reason and request baptism, they can and should be baptized, even if the parents are reluctant. Thus, Juenck (1. 7, page 174), Tournhem, Lugo (*Responsio moralis*, lib. 1, dub. 4), Natalis Alexander (prop. 3, reg. 6), Laymann (n. 16), Paladus (n. 5), Roncaglia (q. 2), and St. Pius V (*loco citato* from *Decretum Theologicum*, 3, p. q. 68, art. 10) teach the same, where he states: "As for those things which pertain to divine or natural law, they begin to be under their own power; and therefore, with their own will, even against the wishes of their parents, they can receive baptism."

[*Latin ed. p. 409*]

To receive [the sacraments], just as he can enter into marriage. And after the son has been baptized against the will of his parents, the Church can and ought to separate him from them, so that he may be protected from the danger of perversion; thus Laym. cap. 6, q. 5; Pal. p. 6, n. 8; Salm. p. 6, n. 14, from the Council of Tolentino, related in c. de Judæis, d. 45, and this is confirmed by the Supreme Pontiff Benedict XIV, n. 29. But what is to be done if there is doubt whether the child has, or does not have, the full use of reason? Tourn. p. 364; Ronc. c. 4, q. 2, r. 1, with Pas. and the Supreme Pontiff Benedict, n. 40, say that a child can be baptized if he has completed seven years; because then the presumption stands for the use of reason. Others, as Suarez, Vasquez, Con. ap. Lugo, l. c.; Sotus in l. d. 5, art. 10, dub. 2; Laym. l. c.; Croix, n. 306; Ronc. ib., with Candido and Pasqual; also Conc., Gabr., Och. ap. Lugo, dub. 4, n. 2, say that a child can be baptized even before he has completed seven years, because in doubt, one must decide in favor of the faith. Suarez also holds this opinion, d. 25, sect. 3, although here he warns that one should wait until the perfect use of reason is present. However, the Supreme Pontiff Benedict, n. 5, with Lugo, l. c., n. 2, teaches that in doubt about reason, before the age of seven, if a child asks to be baptized, baptism should be entirely postponed until it is certain that he has the full use of his reason; but he wisely adds that he should then be entirely taken away from his parents and kept in a safe place.

[*Latin ed. p. 410*]

Nor does this case contradict the rule that, in doubt, the condition of

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the parents who possess authority over the child is preferable; for the Holy Father rightly responds to Lugo that this rule applies in a similar case: but in our case, the cause of the child is stronger, since here we are dealing with a slight detriment to the parents, namely, that they will be deprived of their authority for a short time; whereas, on the other hand, we are dealing with the greatest harm to the child, namely, his eternal death; hence, here a different rule is more urgent, namely, that in doubt, one must favor the more innocent rather than the one who is harmed. It is certain that 4thly, it is possible and should be done to baptize a child if it is in danger of death. Thus, all the aforementioned Doctors commonly agree with St. Pius Benedict XIV, no. 7, who cites two decrees of the Holy See on this matter. However, Salm. c. 6, no. 33 states that, for this child to be baptized, it is required that there be moral despair concerning his life; but Bus., as above, Laym. no. 10, Ronc. qu. 2, Antoine qu. 13, and Croix no. 305, Pal. no. 14, and Spor. no. 53 speak better, saying that the child should be baptized whenever there is a certain or imminent danger of his death. 129. It is certain that 5thly, if a child of non-believers is justly or unjustly outside the care of his parents, and there is no fear that he will return to them, then it is permissible to baptize him. Thus, commonly, Juen. 4. 7, page 174, and Tourn.

[*Latin ed. p. 411*]

Page 574, Council, volume 8, page 176, number 10; Natali, Alexander, propositions 3, rule 5; Paleari, number 7; Spotorno, number 63; Holzapfel, number 141; Elzheimer, volume 3, number 51; Salmeron, chapter 6, numbers 32 and 34; Layman, chapter 6, number 10, with Soto, Vasquez, Azorín, and others, throughout. The same is taught by the Council, in the place cited, and by the Most Holy Pontiff Benedict, number 9, with Azorín, Clericus, Sessa, etc., concerning children exposed or abandoned by non-believers, even if the parents later reclaim them; and this is from chapter 1, on infants and the infirm, where it is said: "If an infant is exposed by the father or by another, with the knowledge or consent (having neglected the office of piety) of the father, he is thereby freed from paternal power." The same must be said of the children of non-believers who are perpetually separated, as taught by Layman, chapter 6, number 10; Salmeron, page 5, number 15; Anacleto, page 546, number 10; Salmeron, number 37; Spotorno, number 55; Roncaglia, question 2; Holzapfel, number 141. The reason is that at that time, the danger of perversion ceases, and the children are not withdrawn from the power of the parents, who, being separated, have no power over them, since they themselves are incapable of giving proper guidance.

130. It is certain that the children of non-believers, captured in war, can be lawfully baptized, even against the will of the parents: thus, Gonzalez, manual, volume 6, page 103; Juencourt, page 174; Viva, question 2, article

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6, number 3; and Benedict XIV, number 7, with Suarez and Cornelius a Lapide; because, according to the law of war, captives no longer belong to their parents, but to their lords.

[*Latin ed. p. 412*]

It is certain that 7thly, even the children of infidels who are slaves of Christians may lawfully be baptized, as Bus. (above), Gon. p. 105, Juen. p. 172, Conc. p. 172, Antoine q. 13, Nat. Alex. prop. 3, Ronc. q. 2, Pal. p. 6 n. 18, Wig. exv 5 n. 62, Laym. n. 10, Spor. n. 53, Holzm. n. 141, Elb. n. 52, Pal. n. 53, Croix n. 300, all attest. The reason is that since the Christian masters have dominion over the parents, they also have dominion over their children. 131. It is certain that 8thly, if one parent consents to the baptism of the child, while the other objects, the child is lawfully baptized, as Bus. (above), Petroc. t. 4, p. 191, Juen. (loc. cit.), Nat. Alex., Tourn. (ll. cc.), Salm. n. 17, with Pal., Az., Suar., and the common opinion, Laym. n. 10, Anacl. n. 10, Pal. n. 11, Spor. n. 53, Holzm. n. 141, Elb. n. 52, and N. Bened. XIV. n. 15, from the Council of Toledo IV, canon 62, in chapter Judæi 28, question 1, and chapter Ex liberis 3, extra. And the same is to be said if, after the father's death, the paternal guardian consents to the baptism of the child, while the mother objects, as Tourn. (loc. cit.) with Silvio, Palm. n. 19, with Nav., Laym., and Val., and Bened. XIV. n. 17, by the authority of Gregory XIII. 132. However, it is doubtful 1stly, whether, if both parents are infidels and object, their children, who lack the use of reason, can be baptized. Answer: If the children are subject to the power of their parents, in no way.

[*Latin ed. p. 413*]

Although it is permissible to baptize them, as decreed by the Sacred Congregation [of the Holy Office] on March 3, 1703, as stated in the aforementioned instruction of Pope Benedict XIV, number 23; because at that time, a certain danger of perversion is imminent. The question arises, therefore, whether such a danger exists, namely, if the children are taken away from the authority of their parents. The first, more common opinion, denies this, and it is held by *D. Th. 2. 2. qu. 10. art. 12*, which is followed by Gonnerius, volume 6, page 102, the Council [documents], page 172, number 2, Wigand, number 62, Natali Alexander, and other Thomists in general, as well as Tournhem, in his theological lectures, volume 7, page 154, Salmeron, chapter 6, number 20, Juencke, volume 7, page 173, Petrocchini, volume 3, page 191, Antoine, question 13, reply 4, Croix, book 6, page 1, number 298, Layman, chapter 6, number 10, and Roncaglia, question 2, reason. The reason is that the removal of children from the authority of their parents would be to their detriment, since they naturally have a right over their children. The second opinion, however, which is held by Scotus in *4th distinction, 4th question, number 9, 2*, and which is followed by Frassenius, volume 10, page 299, Holzbauer, volume 2, page 30, along with Manstius, Bosco,

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Hernoux, and other Scotists in general; as well as Pichl, title 6, number 14, and Contraro to Tournhem, volume 4, page 260, conclusion 3, and which Estius considers probable, in book 4, doubt 6, section 2; holds that it is permissible to baptize such children, at least with public authority and with the consent of the prince. This opinion, in itself, does not seem to lack probability; however,

[*Latin ed. p. 414*]

For, in the matter of the eternal salvation of their children, parents have no right over them; and just as a son can be taken away from his parents, lest they inflict death upon his body, so much more can he be taken away from them that he may be delivered from the death of the soul. I have spoken thus, of my own accord; for, considering the circumstances, this opinion scarcely seems capable of being put into practice, on account of the graver evils that would accompany such baptisms. And therefore, as the Doctors testify, the Church has never had the custom of baptizing the children of the unfaithful, against their will. Furthermore, it must be noted that, concerning the children of the Hebrews, there exists the decree of Julius III (cited by Pignat. vol. 4, consult. 192, and N. P. Benedict XIV, no. 27), which imposed suspension and a penalty of one thousand ducats upon those who baptized the children of the Hebrews, against the will of the parents. And this was confirmed by the Sacred Congregation of the Council on July 16, 1639 (in the same Benedict, no. 32), stating that the children of the Hebrews must not be baptized in any way without the consent of the parents, until they reach the age of legitimate reason. But, whether a Jewish father should present his son for baptism in order that he may be freed from illness, Benedict, no. 18, cites a decree of the Sacred Office, issued on September 24, 1699, by which it was determined that he should be baptized. But, as we said above, after such a boy has been baptized, he must be separated from his parents, so that he may be educated in the Christian faith.

[*Latin ed. p. 415*]

133. Objection 2. Whether it is permissible to sell unbaptized children to non-believing parents. Hurt, in *De Baptismo*, dist. 3, diff. 5, denies this, because it seems to be contrary to Christian charity; but Suarez, *Disputationes*, 15, sect. 6, and Layman, chap. 5, no. 10, at the end, more commonly and with good reason affirm it. Furthermore, Palearius, no. 6 and 20; Tamini, *De Baptismo*, chap. 3, from no. 17; and Bona, q. 2, p. 6, no. 14, with Vasquez, Conciliarius, Fillonius, Henricus, and others, agree. The reason is that, in itself, it is not intrinsically evil to return children to their parents, and it seems not to be an obligation to nourish and educate such children without any benefit, since charity does not obligate to such a burden when the children are not in extreme necessity. But I do not entirely agree with this reason; a better reason seems to be the preservation of

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the common peace: because if the children were absolutely denied to non-believers who request them, a harm would arise that even they would not remedy, namely, that they would not return Christian captives, with great detriment to the conversion; rather, it is more incumbent upon the Church to ensure that its faithful observe the faith than to lead non-believers to the faith. Hence, Palearius and Layman, in the aforementioned places, with Henricus, Vasquez, and Conciliarius, testify that it has already been introduced by custom that captive children, to whom no baptism has been given, are returned to Saracens and heretics.

134. "You inquire whether baptism can ever be repeated, and in what manner."

[*Latin ed. p. 416*]

Response: Since rebaptizing rashly is a mortal sin in its object, because it is a kind of sacrilege, inasmuch as one attempts to administer the sacrament to one who is already baptized, hence, for the case where it is not permissible to rebaptize, certainty regarding the prior baptism is not required, but it suffices if there are conjectures, as, for example, that someone was born and raised among the faithful, and that no reasons of any importance are presented to the contrary; for a slight or metaphysical doubt is not sufficient, but a grave and moral, or at least a reasonable, doubt is required. In this matter, Laym rightly advises to incline in favor of baptizing, chapter 2, from Suarez, and others. In such doubts, the rule commonly accepted by Doctors is to be considered, namely, that to confer baptism again on one who is baptized, a slight doubt is not sufficient, but a prudent or reasonable doubt is required as to whether the sacrament was or was not received; thus Suarez, part 22, section 2, see. But see Laym, chapter 5, note 4; Salm, chapter 6, note 55; Bon., part 1, question 2, paragraph 1, note 36; Pal., page 13, note 3, with Conc.; Val. and communis. A doubt can be either of law or of fact. When the doubt is of law, namely, when someone is baptized with a doubtful matter, form, or intention, then certainly the baptism must be repeated, as commonly taught by Suarez, in the place cited, and Salm, note 56, with D. Th., question 66, article 9, ad 4 (see note 27). A doubt of fact.

[*Latin ed. p. 417*]

It is when there is doubt whether baptism has been administered, or not; and then, if the doubt is negative, that is, if there are no indications that the person has been baptized, then, without hesitation, this person must be baptized, as Suarès rightly says in *locus citatus* from chapter 92, section 4, concerning consecration, where Saint Leo teaches, saying: "It cannot be considered a fault to repeat something of which it is entirely unknown whether it has been done." And in chapter 93, the same Saint teaches the reason for this: "Because there is no rashness when diligence and piety are present." However, when the doubt is positive, that is, when there are clear

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and weighty conjectures on both sides that make the matter doubtful, then baptism must also be repeated; hence, in the Council of Carthage V, as reported in *decretum* 91, section 4, it is said: "Whenever certain witnesses cannot be found who can testify without doubt that they have been baptized..., they must be baptized without any scruple." However, it should be noted that, as Suarès states in the aforementioned passage, Holzmüller, page 30, number 144, Salm, chapter 6, number 62, along with Layman, Palafox, Bona, and the *Notificatio* of Pope Benedict XIV, number 8, with the Glossa in *decretum*, and in chapter *Nuper*, concerning witnesses, and that for this purpose, a single trustworthy eyewitness is sufficient. And this is true even if the witness is a woman, as Bus explains in number 4, along with Layman. Conversely, if there are witnesses who testify to the opposite with certainty, see Croix, number 312, *LIG. Theol. Mor. T. VIII.*

[*Latin ed. p. 418*]

It is to be noted. 2. That those to be baptized are not under any condition of adulthood: those who are born of Christian parents and are educated among the faithful, even if no evidence is found of having received baptism, as is expressed in chapter V, concerning non-baptized persons, where it is said: "And certainly, concerning one who is born of Christian parents and has faithfully lived among Christians, we are so strongly presumed to have been baptized that this presumption should be held as certain, unless it should be proven by very clear arguments to the contrary." However, this must be understood in such a way that no serious objections arise to the contrary, as Bus and Laym point out, as mentioned above, in chapter 5, number 4, who says: "Nevertheless, I believe that even an adult educated among the faithful should sometimes be baptized under a condition, if such conjectures are present (for example, because he was born of sorcerers, is strongly harassed by the devil, and it cannot be known by any indication where or by whom he was baptized), which remove the presumption of having received baptism and make the contrary more likely." Furthermore, Father Zacharias, in his notes on Croix, book 6, page n. n. 310, reports that the Sacred Congregation judged that a woman should be baptized under a certain condition because no trace of the baptism or marriage of the alleged parents could be found. It is to be noted 3. That if a certain infant is found...

[*Latin ed. p. 419*]

If someone is of barbarian origin, and it is doubtful whether they were baptized before or after receiving the faith, then they must certainly be baptized, under the condition that, as commonly stated by Pal. p. 13, n. 8, Salm. n. 58, and others, from the decree *Parvulos*, d. 4, concerning councils, where Gregory VIII expressly defined this. 1.º Those who have been baptized with doubtful matter, form, or intention (according to what has been stated above) are to be baptized under the condition. 2.º Infants exposed

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and found without a certificate attesting to their baptism; otherwise, if they have such a certificate. This is the common opinion. However, Quintan, in volume 1, sections 13 and 14, argues that even these should be baptized. 3.º Those baptized by midwives who practice witchcraft, especially if they have been found, at some time, to have improperly administered baptism. Laym. c. 5, n. 3.

Question: Are exposed infants to be baptized? If these infants are exposed without a certificate, there is no doubt that they must be baptized, unless it is otherwise known that they were properly baptized, as rightly stated by Bus. and Salm. c. 6, n. 57, along with Suar., Soto, Laym., and others in common opinion. The question is whether exposed infants should be baptized with a certificate. The first opinion denies this, which Bus. fears, as mentioned above, and Pal. p. 13, n. 5, praises Soto, Vasq., Laym., and Bon. for; because that certificate provides moral certainty, since it cannot reasonably be believed that parents, who are presumed to be Catholics, would intentionally deprive their children of such a sacrament. The second opinion...

[*Latin ed. p. 420*]

Recent and more common teachings indicate that all such individuals should be baptized, provided that there is no moral certainty regarding whether they have received baptism, and if it was administered properly; otherwise, a prudent doubt always remains concerning its validity. Thus, Petroc. vol. 3, page 211, question 11; Holzm. page 31, number 147; Ronc. book 4, question 5, response 2; Nat. Alex. proposition 7, rule 6; Conc. page 185, number 10; Elb. vol. 3, page 46, number 64; Croix, number 318, with Quintan; Gob.; Tourn. vol. 4, page 412, with Silvest. and Hen.; and Spor. page 196, number 72, with March. and the councils of Cambray, Narbonne, Acqui, and Toulouse; and our own Benedict XIV, in *Dictio Notificata*, number 8, number 8, states that the Council of Milan decreed as follows: "An exposed infant, even if it bears a written inscription around its neck indicating that it has been baptized, should be baptized conditionally, if, after careful investigation, as expressed in the Roman Catechism, there is still doubt that it has been baptized." Furthermore, he cites a declaration of the Sacred Congregation, dated January 15, 1724, in which it was stated that such exposed infants, even if they have a certificate of baptism, should be baptized conditionally, even if they are one and a half years old. And this seems to be in accordance with the intention of the Roman Ritual, which states: "Exposed infants and those found, if, after careful investigation, it is not certain whether they have been baptized, should be baptized conditionally..."

[*Latin ed. p. 421*]

Let those who are not yet baptized be baptized. However, the Holy See,

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in the aforementioned declaration, excepted from baptism under condition those who possess certainty, according to other instructions given. 136. "2. Infants baptized by midwives or by parents or relatives, etc., out of necessity, indiscriminately, all under condition of rebaptism (when the midwives are considered to be good and well-instructed), it is not permitted; because the validity of baptism cannot reasonably be doubted. Suarez, Laym. l. 5. t. 2. c. 5. However, he does not dare to condemn the contrary custom of some parish priests, because he has learned from experience that midwives have not infrequently been deceived by the devil, and therefore there is some danger to the soul, for which reason irreverence should cease. He adds that this custom has been approved by the pastoral published in romano at Antuerpiæ in 1607, and Sylvester holds the same opinion, apud Dian. p. 5. tom. 13. r. 86, and Dian. himself, p. 9. t. 6. r. 35, along with others, considers it to be probable and to have a place in all those baptized by heretics, even if they are adults; which Lug. reg. mor. l. 1. d. 2. correctly limits to those circumstances in which it can reasonably be doubted about the lack of matter, form, or intention. Finally, even Quintan. t. 1. sect. 6. teaches that the aforementioned infants can almost all be rebaptized under condition."

[*Latin ed. p. 422*]

Question 1: Whether infants baptized by midwives or laypersons are to be rebaptized. Some maintain, as Silvester in the third book, question 66, article 9, and Fervacq, and the synods of Mechlin and Ypres, as cited in the Council, page 184, number 9, that they are. Others, as Tourniel in the fourth volume, page 413, along with the synods of Ã‰vreux and Rouen, believe that these infants should always be rebaptized, provided that at least two trustworthy witnesses are lacking to attest to the proper administration of the sacrament. However, the most common and correct opinion teaches that such children should only be rebaptized when there is a reasonable suspicion of error in the original baptism; thus, Busenbaum, as mentioned above, and Suarez, book 31, section 6, the Council, in the place cited, Natalis Alexander, proposition 7, rule 5, Layman, chapter 5, number ..., Holzbauer, page 131, number 145, Paleari, page 13, number 7, along with Conciliarius and Croix, number 321, along with Gobius and Quintan, Salmerius, chapter 6, number 6, along with Bona. And so, the Sacred Congregation ruled (as reported by Father Zacharias in Croix, book 6, page 1, number 323), stating that children baptized at home should not be rebaptized unless there is a reasonable doubt regarding the validity of the baptism. Conversely, it should be said that if, during an examination, the parish priest consistently finds that the midwife or layperson did, in fact, properly administer the sacrament, as the aforementioned authors state, whom Estius in the fourth distinctio, section 15, cites along with Soto, Peter of Palude, and Silvester, who says that they should not be rebaptized

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if the midwife, when questioned, testifies that she properly performed the entire rite. This is confirmed.

[*Latin ed. p. 423*]

St. Charles Borromeo (in the instruction on baptism) says: If, after careful investigation, the parish priest has discovered that a child has been baptized according to the proper form, he must take great care not to use this form, which is conditioned on baptism, to administer the sacrament. The same is said in the Roman Catechism on baptism, no. 57, where it states: This form of baptism (that is, the conditional form) is permitted, by the authority of Pope Alexander, only in those cases in which, after diligent inquiry, there remains a doubt as to whether the person has properly received baptism; otherwise, it is never permissible, even with the addition of "si non baptizatus fueris," to administer baptism to anyone a second time. It should be noted, 1st, that after someone has been privately baptized, the customary ceremonies and rites in the church must be observed, as stated by Salm, chapter 6, no. 60, along with the common instructions from the Roman Ritual. It should be noted, 2nd, that when baptism must be repeated, I believe, with Croix, book 6, page 1, no. 325, etc., that the order described in no. 117 must be strictly observed, whatever anyone may say. However, it can be administered in any place, if the solemnities have already been performed in the church, as some say in Croix, in the aforementioned passage. It should be noted, 3rd, with Croix, no. 325, that in the administration of such a baptism, a confession is not required beforehand, but it is sufficient to express sorrow for one's sins. Question 2nd: Whether children baptized by heretics should be rebaptized. It is the opinion of...

[*Latin ed. p. 424*]

By faith, from the Council of Trent, Session 7, Canon 4, it is held that baptism conferred by heretics is valid when all that is required for the sacrament is observed. However, Gobinus, Dicæus, and Quintanus, apud Croix, book 6, page 1, number 322, maintain that children baptized by preachers (and Silv. also states this concerning those baptized by the English, and Tourn. page 414, concerning those baptized by Lutherans and Calvinists) should all be rebaptized, at least under a condition; because it is easily doubtful concerning the matter, the form, and the intention of such ministers; since they themselves do not judge this sacrament to be absolutely necessary; therefore, they take little care of the necessary requirements, some using rosewater, others separating the matter from the form so that one pronounces the words while another pours the water, and others simply pour the water over the clothes. And therefore, since so many reasons urge doubt concerning the validity of such baptisms, we rightly say, speaking generally, that they should be repeated under a condition. Furthermore, the Sacred Congregation [S. C.] decided (as P. Zacharias reports,

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apud Croix, book 6, page 1, number 323) that children baptized by heretics should not be rebaptized, unless in that place the preachers did not observe the requirements prescribed by the Holy Catholic Church for the validity of the sacrament.

3. The minister sins gravely: 1. If he does not rebaptize him concerning whom a reasonable doubt of law or of fact remains as to whether he was validly baptized; because he is bound to free the neighbor.

[*Latin ed. p. 425*]

"A grave danger of a serious evil, when it can easily occur. Layman, in loco citato; Quintan, in loco citato, 2.

"If one does not diligently inquire into the validity of such a baptism, unless it is known otherwise. Quintan, vol. I, sections 6 and 7.

"One should not be rebaptized if there is testimony from a single eyewitness of his baptism, even if it is a woman; provided that she is not suspected and nothing else hinders. Layman, in loco citato.

"He who truly and reasonably doubts his baptism is obligated to request baptism, and the parish priest should administer it to him (Quintan, in loco citato, sections 13 and 19), and in the meantime, he should abstain from the use of the other sacraments. Responsum 2.

"Baptism should be administered with this formula: 'If you are baptized, I do not baptize you; if you are not yet baptized, I baptize you in the name of the Father, etc.' And although it is sufficient to simply intend the condition, if there is no fear of scandal from the omission, it is safer to express at least these words: 'If you are not baptized, etc.' V. Tollet, lib. 2, cap. 19; Layman, ibid.; Suarez, disp. 51; Fillon, vol. 2, cap. 4, question 9. In this baptism, a godfather is not necessary nor should be used. Quintan, in loco citato, section 18.

"138. For the completion of this point, question 1: What are the effects of the sacrament of baptism?

"Response 1: The effect is the remission of all sin, both original and actual, committed before baptism, as is stated in the Roman Catechism, no. 42."

[*Latin ed. p. 426*]

Tridentine Council, Session 5, paragraph 5: God hates nothing in those who are reborn; however, the seeds of sin remain in them, which is not sin itself, and if they resist the grace of Jesus Christ, it will be beneficial for them to attain the crown.

2. The effect is the forgiveness of all the penalties due for sins, as stated in the Catechism, number 45, from the Tridentine Council, Session 5, paragraph 5, where it is written: "So that nothing whatever may prevent them from entering Heaven." See Psalm 4, verse 23.

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3. It is the bestowal of divine grace, by which we become sons of God and heirs, as stated in the Tridentine Council, Session 6, chapter 7.

4. The impression of a character.

5. So that the baptized person becomes a member of the Church and is subject to its authority.

139. Question 2: What disposition is required in the one receiving baptism? Answer: In infants, Christ and the Church supply their will. This is certain from the Tridentine Council, Session 7, chapter 13, where it is said that little children are baptized in the faith of the Church alone, even though they do not personally believe. In adults, however, an intention is required, at least habitual, that is, an intention held and not retracted. See Salm, on Baptism, chapter 6, paragraph 40, with the consent of Pal, Con, and the common opinion. See the aforementioned number 81. See also: Certain.

From this, it follows that:

1. Baptism is validly conferred, even if received through grave fear; otherwise, it is not valid if received through mere force, with the mind completely unwilling; see Suarez, Bonaventure, Pal, with Salm, chapter 6, paragraph 42, from Tolet, chapter 16, paragraph 4.

2. It follows that baptism is also valid even if received unknowingly.

[*Latin ed. p. 427*]

It is presented to the Lord, either by one who loves Him, or by one who desires it. Pal., Henr., etc., with Salm., n. 43. However, Suarez notes there that for the lawful administration of baptism, some necessity is required, unless the person is considered to be in perpetual danger of death; and in that case, it suffices if he has demonstrated sufficient signs of his desire to receive baptism beforehand, and these signs are also sufficient to presume that he has made due contrition for his sins, unless it is known that he has fallen into mortal sin after that. In cases of doubt regarding the request, baptism should be conferred conditionally. Salm., cap. 6, n. 4, with Bon., Henr., etc. See above, n. 8r. See also the question regarding this. Faith and contrition are also required in an adult in order to lawfully receive baptism. Regarding faith, it is required that he know the sacraments (at least baptism, the Eucharist, and penance), the precepts of the Decalogue, at least in a general way, and the Lord's Prayer, in addition to the four things that are necessarily known, namely, the existence of God, that God is a remunerator, the Trinity, and the Incarnation, Passion, and Death of our Lord Jesus Christ. But in cases of imminent danger of death, it suffices to know these last four things, as Sanchez and Soto say, with Salm., cap. 6, n. 5. Regarding the contrition required, Navarrus and others hold that

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contrition is necessary.

[*Latin ed. p. 428*]

Truly, Gonzalez, Moral Theology, Vol. 6, p. 103; Suarez, Disputations, 28, section 2, conclusion 2; Canus, Preliminary Remarks on Penance, p. 5; and Salm, No. 53, with Valois, Soto, Henry, Gran, and many others, hold that attrition, if formed by charity, is sufficient; and this has been expressly taught by the Most Holy Doctor in 3rd part, question 79, article 3, ad 2, where he teaches that it does not inconvenience (a man) to approach baptism who has the consciousness of a mortal sin. Indeed, if contrition were required, this man could not approach with the consciousness of a mortal sin; the Holy Doctor taught this elsewhere, in the Supplement, question 5, article 3, that whatever small the sorrow may be, provided it suffices for the purpose of contrition, it removes all guilt. Therefore, if he approached with even the smallest contrition, he would certainly approach without sin. But he expressed this more clearly in 4th part, disputations 6, question 1, article 3, ad 5, where he says: "For a man to prepare himself to receive the grace of baptism, faith is required, but not charity; because attrition preceding is sufficient, and it is not contrition." I do not know what the adversaries could reply to this, if they were to say that the Most Holy Thomas held a different opinion than ours. Whether any charity is required in the one receiving baptism, see concerning penance, No. 437.

[*Latin ed. p. 429*]

QUESTION FIFTH. CONCERNING THE RITES OF BAPTISM. ARTICLE FIRST. WHAT MUST BE OBSERVED REGARDING THE RITES OF BAPTIZING.

140. What must be observed regarding the rites of baptism.

141. Whether baptism without the anointing with chrism and consecrated water is a mortal sin.

142. Whether it is illicit to baptize outside the Church. And when is it permitted?

143. Whether the rites are to be omitted in a private baptism, and whether a godfather is required.

144. Whether, after a private baptism, the rites must be supplied. What if the baptism is invalid?

145. What is to be noted concerning the name to be given in baptism, and the baptismal register.

140. "R zsp." The rites of baptism are to be obtained from the rubrics of each church. However, the following must be observed universally regarding them:

1. Baptism, unless out of necessity, cannot be validly conferred except in consecrated water. If this is lacking, a brief formula is provided in some

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rubrics for the temporary consecration of water, for the case of necessity. If even this formula is lacking, ordinary blessed water may be used.

2. Solemn baptism must not be conferred except in the church and in a place designated for that purpose, unless for the children of kings and princes, to whom are added the children of Catholics.

[*Latin ed. p. 430*]

In heretical places: meanwhile, regarding this, in many places, tolerance is shown towards nobles and the powerful. Laym. cap. 8, n. 8. (See aforementioned, note 3, o).

3. o Infants are customarily brought for baptism around the eighth day, unless it is necessary beforehand, or unless there is a serious reason for delay, for example, because the parents are away; however, it is not generally permitted, except out of necessity, to privately baptize and then add solemnities later, but it is better to wait a while. Laym. cap. 6, n. 8. (See aforementioned, note 2, o).

141. It is a mortal sin to neglect the ceremonies of baptism, or any notable one of them, as all commonly agree with Holzm. p. 33, n. 164; Croix, lib. 6, p. 1, n. 33g. Hence, it should be noted:

1. o Unless necessity dictates otherwise, it is a mortal sin to baptize without the chrism. As Elb. p. 44, n. 80, Holzm., and Croix, ibid., along with Gob., etc., teach. Likewise, it is a mortal sin to baptize in unblessed water, or in chrism of another year, as Nav. cap. 22, n. 74; Sa v. Baptismus, n. 15; Viva qu. 2, art. 7, n. 2; and Bon. punct. 7, n. 20, along with Con. and Nunno from cap. Si quis de alio, d. 4, teach, where it is condemned as a mortal sin if anyone should attempt to baptize with chrism other than that which is new, unless death is imminent. And this is confirmed by the Roman ritual for the sacrament of baptism, which says: "With the oils, unless necessity compels,..."

[*Latin ed. p. 431*]

Beyond one year, it should not be used; and if it seems that the chrism and the blessed oil are lacking, and it is not possible to obtain them, another oil, not blessed, may be added, but in a smaller quantity. What, if the year is completed and the pastor has not received new oil? In Croix, book 6, page 1, number 342, Marchius advises that he should baptize with other things and then supplement the unction. However, Gobinet says that baptism can be postponed, unless there is a danger of death; indeed, he adds that if this custom exists in any diocese, the pastor can use the old oils. Spor, in the supplement on baptism, number 95, believes that infants can always be baptized with old chrism, because they are constantly in danger of death; he says in the Roman catechism, page 2, number 34, that baptism should not be postponed for children, especially because of the many dangers that are inherent to their weakness of age. I believe a distinction should

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be made: if the new oil is to be awaited for a notable time, say for ten or eleven days (according to the aforementioned notes, number 118, note 2, o), then it may lawfully be conferred, and the baptism performed without the unctions, and the unctions supplemented afterwards; because such a delay is a sufficient reason to administer baptism without them. Otherwise, if the oil can be easily obtained within the aforementioned days: then I believe that baptism cannot be separated from the unctions without necessity, or at least without a grave reason, which are a matter of a very serious precept.

[*Latin ed. p. 432*]

Simultaneously with baptism, the chrism and the sacred oil should be applied, unless, perhaps, they have already been applied, as many believe. See the aforementioned text, number 144. See also the aforementioned text, number 142. Note 2: It is also mortally sinful to baptize outside the Church without necessity, as Suarez, d. 31, section 2, Pal, page 12, number 16, and Croix, number 334, with reference to the decrees, state. However, exceptions exist. 1st, if there is doubt about the death of the infant, for example, if the infant is born without crying, if the woman has given birth with difficulty, or if the infant dies before the seventh month; in such cases, it is permissible to baptize at home privately, as Croix, number 335, with reference to the decrees, and Quintan state, and they say the same if the child is born dead in the eighth month. 2nd, if the infant cannot be taken to the church without the risk of infamy to the parents or some other grave harm; in this case, Croix, number 336, with reference to the decrees, and Jordain believe that baptism can be solemnly administered at home. 3rd, if the infant is the son of a king or prince. But see the aforementioned text, number 118. Note 3. 143. 4. The baptizer is not permitted to use any ceremonies, aside from the essential ones; because either the baptism will be a solemn one, which the Council of Trent, session 6, chapter 3, prohibits, or a private one; but in the latter case, the Clementine decrees prohibit the use of any ceremonies unless the person being baptized is the son of a king or prince (as stated above). However, the use of the paten is permitted, and some believe that its use does not constitute a sin.

[*Latin ed. p. 433*]

"Spiritual kinship is not truly established as godparentry, as Sanchéz, Rodríguez, argue against Laym and Suárez, although their opinion seems more probable." (Chapter 61, paragraph 13; d. 1, 14, 5). "When baptism is conferred in necessity or for some other reason, without the customary ceremonies, those ceremonies must be solemnly performed in the church." (As St. Thomas [Aquinas] teaches in 3a, q. 71, cap. 51, ad 3, citing Psalm 6, verse 18, and the common opinion; from chapter 11, on the sacraments of the holy Church). "And those omitted ceremonies must be supplied under pain of mortal sin." (As Croix teaches in book 6, page 11, paragraph 34,

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citing Avila and Pignatelli, book 3). "However, this is not the case in the conversion of heretics; lest the people think that we are invalidating their baptism." (Laim, chapter 8, paragraph 11, d. o.). "Indeed, others teach that to omit them is only venial, out of contempt for the world." (Passevant, de noxis, chapter 6, paragraph 25). "But those who hold that the temporal ceremonies of godparentry, when supplied, do not invalidate the spiritual kinship, are contradicted by Dian [Díaz], page 3, article 14, page 26, against Pontius, who says it is probable." (Chapter 51, paragraph 13). "If baptism is found to have been conferred invalidly, the ceremonies are not therefore to be repeated." (Chapter 51, paragraph 11, d. 1). "But this question is debated. Others, as Palearius teaches in point no. 14, and Salmerón in chapter 7, paragraph 21, citing St. Antoninus and Regius, say that they are to be repeated."

[*Latin ed. p. 434*]

The ceremonies are to be omitted if there is a scandal or infamy attached to the one baptizing or the one being baptized. The reason is that the ceremonies are accessory to baptism, pertaining to its adornment; therefore, they should always accompany baptism when it is conferred. Others, more commonly with Bus. in Suar. d. 31. sect. 6. v. Septimo, Ben. panct. 7. n. 22., Holzm. n. 267. cum Av., also Con. ap. Pal. n. 23. and it is probable that Croix n. 341, believe that they are not to be repeated, both because in chapter 1, concerning the sacraments, it is said that in the sacraments which imprint a character, nothing is to be iterated, but rather cautiously supplied if something has been carelessly omitted; therefore, when the ceremonies have already been performed in an invalid baptism, there is no obligation to repeat them, because it suffices to preserve the due reverence of the sacrament that the ceremonies either follow, as is stated in the Roman ritual, or precede the sacrament. Therefore, both the ceremonies that precede and those that follow baptism are morally joined with it. Both opinions seem probable, but the first, being the safer, should be followed.

145. Concerning the name that is given in baptism, 1.º Croix notes in book 6, page 1, n. 326, that one does not sin if he does not give the name of a saint; because to give the name of a saint is not a precept, but a pious suggestion. St. Pius V. and Paul V. say the same, as Croix argues against Vasquez.

[*Latin ed. p. 435*]

Let the name of the Old Testament be given, for example, Adam, Tobias, etc. This practice is commonly used in our regions. However, Croix, in his Roman Catechism, chapter 14, paragraph 3, notes that it is not easily permissible to impose an ethnic name upon one who desires it. Croix, in his second work, paragraph 350, observes that if one doubts whether the child is a male or female, and the danger of death is pressing, the child can

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be baptized without a name. In the Roman Ritual concerning the sacred oils, etc., it is stated: "The priest should see to it that obscene, fabulous, or ridiculous names, or the names of false gods or impious ethnic people, are not given, but rather, as far as possible, the names of saints, etc." Croix, in his third work, paragraph 331, notes that, with the approval of the Abbot, Bonaventure, and Dicælius, the name given in baptism can lawfully be changed by private authority, since this is not prohibited by any law; certainly, it can be changed at Confirmation. Regarding the baptismal register, it should be noted that this constitutes proof of faith in any tribunal, as Croix observes in his seventh work, page 1, paragraph 345. Furthermore, the priest is diligently bound to note in the register the day and hour of birth, the parents, and the godparents. Also, whether the baptism was conferred under a condition or without ceremonies; also, where the child was found abandoned. Thus, in the Roman Ritual, at the end, in the section "Formulas for writing, etc.," and in the chapter "De baptismo," page 1, paragraph 1, "De significatione."

[*Latin ed. p. 436*]

OF GODPARENTS AND THEIR OFFICE. 146. To what are godparents bound? And what is required for one to be a valid godparent? 147. When is a godparent bound to instruct the godchild? And can a godparent be omitted in a private baptism? 148. What action is required of godparents in order to establish spiritual kinship? 149. Does the godchild or the baptizer establish spiritual kinship in a private baptism? 150. Do parents who present or baptize their children incur any impediment in requesting a debt? 151. Does the godparent of an infant establish spiritual kinship in a baptism conferred under a condition? 152. What happens if someone, through error, accepts a child as a godchild for another? 153. Who establishes spiritual kinship if someone accepts a child in the name of another? 154. Must godparents be designated in order to establish spiritual kinship? 155. Can two men or two women be godparents? Doubts. 1.° Must a male godparent be a male, etc.? 2.° Do those who designate two men or two women sin? 156. What is required for one to be a licit godparent? Those excluded from this office are: 1.° religious, 2.° spouses and parents, 3.° the infamous, 4.° apostates and heretics. But can Catholics act as godparents to the children of heretics, even if a heretic performs the baptism? 5.° Can more than two be godparents? 157. Can two spouses be godparents to the children of an adulterous union? 158. See what is held among Bus. (referring to a specific source, likely a theological text or commentary).

[*Latin ed. p. 437*]

15g. Quando il parroco deve trattare gravemente questa materia. 160. Di ciò di cui il parroco deve ammonire dopo il battesimo. E, in particolare, affinché le madri non giacano con i bambini. 146. » Risposta. 1.° I

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padrini sono quasi padri spirituali, che prendono il battezzato dalla fonte e lo affidano alle loro cure. Pertanto, è loro dovere istruire il battezzato nelle cose della fede, insegnare il Padre Nostro e il *symbolum*, a cui sono obbligati, se ciò non viene fatto da altri. *Laim. l. 5. t. 1. c. 9.* (V. n. seq.) » Risposta. 2.° Affinché qualcuno sia validamente padrino, non è richiesta una certa età (come afferma Salm. de bapt. cap. 7. n. 29, insieme a Sanch., Laim., Nav. ecc., contro l'Abate, che richiede 18 anni; ma Croix l. 6. p. 1. n. 355 richiede almeno sette anni), ma è richiesto: 1.° L'uso della ragione. 2.° Che egli stesso sia stato battezzato (perché non può essere padrino chi non è ancora nato), e che, invero, il suo battesimo sia stato valido; perché l'accessorio segue il principale. 3.° Che sia stato designato dai genitori o dal parroco; a ciò sembra bastare se anche, di sua spontanea volontà, sia ammesso: ma i padrini designati correttamente dai genitori, il parroco non li cambia validamente. (Ma Tamb. §. 2. n. 12 dice che il parroco potrebbe validamente cambiarli, e Croix n. 363 è d'accordo; perché dal Concilio di Trento basta la designazione dei genitori o del parroco; il parroco...)

[*Latin ed. p. 438*]

However, he who changes the godfather gravely sins, as Beda says, apud Croix, ibidem, p. 6, t. 7, r. 59. - 4thly, that in the very act of baptism (because it is not sufficient that it be done only in the ceremonies), he either personally or through a proxy, touches, holds, or receives the baptized from the hands of the baptizer. (It is understood that "receiving" means to take hold of, as Salm. n. 31 states, if the baptism is by immersion; but Croix, n. 373, says that, with Augustine and his commentary, it suffices to establish the bond of kinship if the godfather receives the baptized from the hands of the baptizer, even if the baptism is by infusion.) 5thly, that he does this not merely materially, but also with the intention of the recipient, or with the intention of performing this office. Laym., c. 9, n. 2. (Thus also Tamb. and Augustine, apud Croix, n. 363. What if someone receives the child of one, believing him to be the child of another? Sanch., Tamb., Gob., and Croix, n. 363, say that he does not incur the bond of kinship. But see below, n. 152.)

147. Here it must be noted, as pertains to the matter, 1stly, what the Doctors of Theology teach concerning the obligation of the godfather; for in 3rd part, question 67, article 8, it is said: "He who receives someone from the sacred font assumes the office of a teacher, and therefore is obligated to take care of him." That is to say, as Holzm., t. 2, page 32, n. 158, Tourn., t. 4, page 341, q. 2, Salm., de bapt., cap. 7, n. 47, and others state extensively, he is bound to instruct the baptized in matters of faith and morals.

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Nevertheless, this obligation is not so urgent if no necessity arises, as in the case of those who are baptized among the infidels, as the same Doctor [Thomas Aquinas] states in the aforementioned passage, adding: "But if

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they are raised among Catholic Christians, they can sufficiently be excused from this, presuming that they are diligently instructed by their parents; however, if they in any way perceive the contrary, they are bound to provide for the spiritual welfare of their children according to their ability." And the same is commonly stated by Salm. n. 27, with Suarez, Layman, Palotti, Concina, Vallet, etc. It should be noted, secondly, that in private baptism, there is no fault if the godfather is omitted, as stated by Tourn. page 340, Holzmüller page 32, n. 154, and Salm. chapter 7, n. 24, with Soto, Suarez, Sanchéz, and others in common. However, Sanchéz de Matrimonio, book 9, title 26, n. 3, and Layman, book 5, treatise 2, chapter 9, with Suarez, Concina, etc., state that although a godfather is not necessarily required in private baptism, he can nevertheless be present, and it is preferable that he should be.

148. But let us inquire: what action is required of godparents in order to establish a spiritual bond? The texts that establish this bond (cited by Sanchéz de Matrimonio, book 7, title 56, n. 1) use the following words: "suscipit," "accipit," "tenet," "levat," "tangit." Therefore, the Doctors agree, as cited by Sanchéz in the aforementioned passage, n. 2 and 3, that in order to establish this bond, the godfather must either hold [the child].

[*Latin ed. p. 440*]

Or whether he should touch the infant while it is being baptized, or immediately lift it, or receive it from the sacred font or from the hands of the baptizer. As for whether a physical touch is required to establish spiritual kinship, the Doctors, speaking generally of infants, affirm this in Sanch. n. 4; but, speaking of adults, they deny it there. Soto, Lopez, and Sa say that a moral touch, or assistance, suffices; because, since adults can sustain themselves, assistance is sufficient, by which the godparents indicate that they are taking them under their care, and the ceremony of touching is not necessary. But, most commonly and rightly, this is contradicted by Pal. p. 11. §. 2. n. 3., Salm. de bapt. c. 7. n. 31., Bon. q. 3. p. 5. §. 2. n. 14. with Card., Reg., Fill. etc., and Sanch. in the same place, with Man. and Henr., who state that the Cardinals have declared this. The reason is, first, because such a touch is expressly required by the sacred canons; and second, because (as D. Th. 3. p. q. 72. art. 10 says), this ceremony is no longer introduced to supply the weakness of the body, but to signify the weakness of the soul; hence, the Saintly Doctor there, ad 1., says: "Although he who is confirmed (the same is to be said of the baptized) is physically an adult, he is not yet spiritually an adult."

149. Question 2. Whether the baptizer and the godparent present at a private baptism establish a spiritual kinship. There is no doubt that...

[*Latin ed. p. 441*]

The godfather, as commonly stated by Pal. p. 11, § 2, n. 13, Tourn. p. 146,

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col. 4, Viva de matr. q. 5, art. 6, n. 4, and others, contracts [an obligation]. It is doubtful whether the godmother also contracts [an obligation]. The first opinion affirms this, and this view is held by Suar. 3. p. q. 67, art. 8, *in fine*, Laym. cap. 9, n. 5, with Arm. and Nav., and Viva *l.c.* with Sa and Con. The reason is that the godmother is not appointed solely for the sake of the solemnity in baptism, but also because of the obligation of instructing the baptized. And although the Church, in the Council of Trent, Session 24, chapter 2, concerning reform, did not prescribe the presence of a godmother in private baptism, she nevertheless did not prohibit it, nor (as Suar. says) did she derogate from the ancient law. The second opinion, which is more common and more probable, denies this, and this view is held by Pal. *l.c.* n. 12, with the common opinion, as asserted by Sanch. de matr. l. 7, d. 62, n. 14, Bon. *eod.* tit. q. 3, p. 5, § 2, n. 11, Holzm. p. 382, n. 544, Spor. p. 4, n. 89, Tourn. t. 2, p. 144, with Soto and Salm. de matr. cap. 12, n. 32, with Hurt., Rodr., Dic., Corn., and *Diana Veteranorum*. This is proven from the Council of Trent, decree, chapter 2, where it is stated: Only one, whether male or female, according to the institutions of the sacred canons, or at most one and one, shall receive baptism; among whom are included the baptized, and also his father and mother, as well as between the baptizer and the baptized, the baptized's father and mother only.

[*Latin ed. p. 442*]

A spiritual bond is contracted. The parish priest, before administering baptism, diligently inquires of those to whom he ministers, whom they have chosen to receive the baptized from the sacred font, and he admits only that person or those persons to receive it, and he records their names in the book, and teaches them the bond of kinship that they have contracted. From these words, the aforementioned Fathers rightly conclude that the impediment arises only from those receiving from the sacred font, who alone are instituted to administer the solemn sacrament of baptism, and not from a *privatum* baptism. Nor does it impede to say, with Suarez, that the Council of Trent did not derogate from the ancient law, according to which (as he asserts) all those receiving contract the bond of kinship. For first, Suarez does not demonstrate, as he ought to have done, by what law the bond of kinship was contracted in *privatum* baptism; secondly, and even if this had been established at the beginning, the Council of Trent, in order to avoid inconveniences, derogated from all other prohibitions of marriage, except those which it established here, saying: "Experience teaches that, because of the multitude of prohibitions, marriages are often contracted in forbidden cases, in which either one perseveres, not without great sin, or they are dissolved, not without great scandal. Wishing, therefore, to provide for this inconvenience, and beginning with the impediment

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of spiritual kinship,..."

[*Latin ed. p. 443*]

He establishes that only one, whether male or female, and proceeds as above. Therefore, to avoid inconveniences, the council wished to prescribe that the aforementioned relationship should not be contracted in the future except by those receiving from the sacred font, that is, in the solemn baptism, as we have said. 150. Question 3rd: Whether parents who baptize or receive into baptism their children incur an impediment to fulfilling their duties. It is certain that 1st, they do not incur it if they baptize out of necessity, as taught by D. Th. Suppl. q. 55, art. 1; Sanch. de matr. l. 9, d. 23; Salm. de bapt. cap. 2, n. 49, and others, commonly from cap. Ad limina 7, cause 3rd, q. 1, where it is said: It should be judged blameless that which necessity brought about. It is certain that 2nd, parents gravely sin who, out of [their own] industry and without necessity, baptize their children, as is clear from c. De his 7, dict. q. 1: see Viva, loc. cit. It is certain that 3rd, parents do not incur the relationship if they baptize out of ignorance, as is stated in c. Si vir 2nd, de cognat. spir., where it is said: If a man or woman knowingly or unknowingly receives his or her child from the sacred font..., although generally it is established that they should be separated, yet some, considering human kindness, have decided otherwise: and therefore it seems to us that, whether they did so out of ignorance or out of malice, they should not be separated from each other, nor should one withhold anything due to the other...; because if

[*Latin ed. p. 444*]

Ignorance (note): It seems that they excuse themselves by claiming ignorance; but if it is due to malice, they should not be shielded by their deceit or trickery. The question, therefore, is whether parents incur an impediment if they baptize a child *ex industria* (at Monteu da Po) beyond what is necessary. The first opinion, which is more common, affirms this, and it is held by *D. Th. suppl.* qu. 56, art. 1; *Petroc.* t. 3, p. 217; *Conc.* t. 8, page 159, n. 14; and also by St. Bonaventure, Paludanus, Richerius, and many others, along with Sanchez in *de matr.* lib. 9, d. 26, n. 7. The reason is that the same law which determines that a spiritual bond is established between the baptizer and the parents of the baptized, also introduces an impediment between the parents and their baptized child. The second opinion, which is quite probable, denies this, and it is held by several important Doctors, such as Suarez, *3. p. qu.* 67, art. 8; Pontius in *de matr.* lib. 10, c. 6, n. 4; Viva, *eod.* iii, qu. 7, art. 3, n. 7; Con, *d.* 34, dub. 8, n. 69; Salm in *de matr.* c. 15, n. 25, with Pereira, Dic. etc. The same is held by the Glossa in the cited chapter. If a man, see *Debitum*, where it is said: "We do not find in this case that it is required; therefore, we do not prohibit it." The reason is that, truly, no law is expressly found (as Sanchez himself

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admits, and therefore calls this opinion probable and safe) that establishes a bond between such spouses; and if any ancient texts should be found that prescribe a separation between such spouses, nevertheless, all of these...

[*Latin ed. p. 445*]

The canons, as Sanchez states, were corrected by the cited canon. If a man says, "where it is said that such spouses are not to be separated," and it is added, "nor should one take away from the other what is due," then Salm rightly infers that there is no impediment to demanding the debt; for the text does not say that only the guilty party is obligated not to deny the debt to the innocent, but it uses correlative terms which imply a mutual obligation. Therefore, if both parties, as Pontanus rightly argues (n. 4, at the end), are obligated to render the debt, then both can demand it; for if the one demanding could not demand, neither could the innocent party render, because he would not be obligated to render from the outset, since the guilty party has already lost the right to demand; nor could he render, if he could deny without grave inconvenience, because he would be cooperating in the sin of the other, according to what is said in book 2, n. 47, and as we will say in this case in the treatise on marriage, book 6, n. 945. It is not true that whatever invalidates the marriage from being contracted also prevents it from being valid once contracted; for no penalty is incurred, as is clear to all, unless it is expressly stated in the law; but in our case, this penalty of not demanding the debt is nowhere expressly found, as is the case with incestuous marriages, as in c. i. De eo qui cognat. consanguin. 151. Question 4, on whether the one who receives the infant in...

[*Latin ed. p. 446*]

Having received baptism under a condition, a bond of affinity is contracted. Response: If there is only a negative doubt concerning the first baptism, it must always be affirmed in common [law]; because then no reason arises for the validity of a prior baptism, and the presumption applies only to the validity of the second. Thus, Sanch. de matrim. lib. 7. d. 62. n. 6., Mazz. t. 4. p. 45., Salm. de matr. cap. 12. n. 29., with Bon. and Renz. de bapt. cap. 5. qu. 4., with Dicast. and Diana. Otherwise, Sanch. n. 7., Renz. n. 4., with Diana, say, if the doubt is positive. And this is quite probable, according to what is said concerning marriage, n. 905., where we say that, with good reason, marriage can be validly contracted when, after diligent inquiry, no impediment is certainly proven to exist. 152. Question 5: Does a bond of affinity arise in the case of one who, through error, takes one infant for another? The contrary is asserted by Cont. Tourn. t. 4. p. 146. and Sanch. de matr. lib. 7. d. 58. n. 7., with Abb. etc.; because in the aforementioned chapter 2, concerning spiritual affinity, it is said that the spouse who, unknowingly, raises the child of her husband is not excused from the obligation of the debt. However, Pont. de matr. l. 7. cap. 19. n.

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19. and Pal. de bapt. p. 11. §. 2. n. 5., with others, assert that the one who receives [the child] seems to have the intention of receiving the infant, whoever he may be; and they say that the cited text does not prove that the spouse has not performed her true duty.

[*Latin ed. p. 447*]

The recipient, but only because the impediment to demanding the debt has been removed by the disposition of the law; an impediment which, indeed, would not have arisen without the fault of the spouse. But they argue that this reasoning does not apply in our case. And this opinion seems more probable to me; unless (as Renz rightly observes, chapter 5, question 15, with Tamb. and Januar.) he has an express intention of not being bound to anyone other than the one he intends to receive. 153. Question 6. Who contracts the obligation if someone receives a child in the name of another? There are three opinions. The first, which is more common, says that only the principal contracts the obligation, and so Sanch. de matr. book 7, title 59, number 12, Pont., book there, Renz, book 5, question 26, Pal., book there, number 14, with Con., Barb. and Hurt., Croix, book 6, page 1, number 364, with Av. and Gob., Tourn., volume 4, page 145, column 3, with Nav. and Fagn. The second opinion says that only the procurator contracts the obligation, because he alone receives the child; thus Conc., volume 8, page 190, number 16, with Soto and Tol. The third opinion, which is held by Leand. and Diana with Sa, Reg. and Fill., apud Conc. in the place cited, says that neither contracts: not the principal, because he does not receive; not the procurator, because he does not intend to contract. Despite these opinions, the first opinion, which is the more common one, seems absolutely truer to me. The reason is that, according to the Council of Trent, he contracts.

[*Latin ed. p. 448*]

The kinship is that which is designated by the parents to be received. It is not an obstacle that the principal person does not actually receive it; because, according to the rule of law, he who acts through another is considered to act himself. Thus, the Pontifical [Decree] from the Sacred Congregation states, and says in this case: "The procurator does not contract spiritual kinship for himself, but for the one who gives the mandate." (154. Quær. 7).

Next, the question arises: whether godparents must be designated in order to contract kinship. First of all, it must be noted what is found in the Council of Trent, cited above, session 24, chapter 2, concerning reform, where it was decreed: "If others, besides those designated, touch the baptized, they do not contract spiritual kinship in any way, notwithstanding any constitutions to the contrary."

However, a doubt arises: if no one is designated and several people touch [the baptized], do all of them contract kinship? Diana, with others, accord-

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ing to Bus., as mentioned above, holds that none of them contract kinship; and this opinion is considered probable by Sanch., book 9, chapter 57, number 12, and by Suar., Gutt., etc., according to Salm., chapter 7, number 56, and Croix calls it more probable, number 359, with Gob. and Av. Because the Council of Trent expressly requires designation, and therefore (in the absence of it), kinship is not contracted. But the opposite opinion, to which I subscribe, is called common by Viva de mar., question 5, article 6, number 6, with Bon. and Conc., and they say that this opinion should be held, according to Salm. de bapt., chapter 7, number 37, with...

[*Latin ed. p. 449*]

Nav., Laym., Pal., Cont. etc. from the declaration of the Holy See. They all contend that [spiritual affinity] is contracted. The reason is that, although the Council prescribes that the godfather should be chosen by the parents and that he should be punished if he does otherwise, it does not nevertheless declare the [spiritual affinity] to be null, nor does it invalidate the ancient law, as is stated in c. fin. de cogn. spir. in 6, from which all who touch [the baptized] contract [spiritual affinity]. These are the words of the cited text: "Although no more than one man or one woman ought to be present to receive the infant in baptism, if more than one are present, spiritual affinity is thereby contracted." And for the same reason, the author correctly adds in ad Wig. de bapt. cas. 8. v. Oppositum et Salm. n. 24, together with Pal., Corn. and others (contrary to Croix etc. l. c.), that even if designated godparents are present, but another, besides them, merely touches [the baptized]; only this one alone contracts [spiritual affinity], because the Council says that those who, besides the designated, touch [the baptized] do not contract [spiritual affinity], but those who, besides, do touch [the baptized]. For "besides" implies that both the designated and the non-designated touch [the baptized]; whereas "beyond" implies that only the non-designated touch [the baptized]; because they are not expressly exempted by the Council from contracting [spiritual affinity], which ought to have been expressly stated, otherwise the ancient law would remain in doubt. Conversely, it must be said quite differently if one designated [person] and one non-designated [person] touch [the baptized]; because...

[*Latin ed. p. 450*]

In no way does it contradict, as is evident from the words of the Council of Trent cited above. A doubt arises, namely, if more than two are designated and all touch [the child], whether all incur the bond of godparenthood. Suarez, in 3rd part, question 67, article 8, at the end, holds that if they successively touch the child, only the first two incur the bond of godparenthood; and rightly, so hold Sanchez, in *De Matrimonio*, book 7, chapter 57, number 14, and Croix, book 6, page 1, number 360. However, Suarez holds that if all touch [the child] simultaneously, none incur

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the bond. But Sanchez, Croix, and Salm, number 45, along with Pontinus, Conciliarius, Palatinus, and Rebellius, more commonly and probably say that in that case, all those designated incur the bond; because, although the Council of Trent forbids the use of more than two, it does not invalidate the ancient law, unless more than two designated persons touch [the child]; but it does not do so if more designated persons than two touch [the child]. And this is all the more true if it is unknown among those designated which of them touched [the child] first, as stated in the decree of the Sacred Congregation, cited by Salm. It should be noted here, first, with Tournhem, in *Disputationes*, book 4, chapter 2, page 146, that if the parish priest unjustly repels godparents chosen by the parents, and those [persons] hold the child, they do incur a true bond of godparenthood. It should be noted secondly, with the same Tournhem and Bonaventure, that if the parish priest admitted more than two godparents, he would sin mortally, because he would violate a precept of the Church, imposed in a serious matter, not to multiply the bonds of godparenthood.

[*Latin ed. p. 451*]

Indeed, if more godparents are to be present, designated by the parents, it can be permitted (as Croix states in number 350) that all be present; provided that externally, only one male and one female are designated, and only those are given the child, and only those are designated as godparents, and only those are reminded that they have contracted a kinship.

155. Question 8: Can there be two male godparents or two female godparents? The answer is: No; but it is more probable, according to Sanchez and Croix in number 350, that it is only venial sin against Bonaventure and others who hold it to be mortal sin.

Dubitation 1: Must the male godparent (if there is one) be male, and the female godparent be female? Layman affirms this, based on the Council of Nicaea; but it is more probable that Suarez, Fillon, Avila, and Gobius, according to Croix in number 351, deny this, since the Council of Trent states: "whether a man or a woman."

Dubitation 2: Do those sin who designate two males or two females as godparents? It is certain that both the parents and the parish priest sin in admitting such godparents, since it is contrary to the prescription of the Church. However, Croix in number 350, with Sanchez, believes this to be only venial sin, while Bonaventure and others say it is mortal sin; and this seems more true to me, if the godparents were of different sexes and the child; because in this case, the kinship would be multiplied, which the Council of Trent wished to prohibit, as we have seen; otherwise, if they were of the same sex.

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156. "Response 3: Indeed, but..."

[*Latin ed. p. 452*]

Illicit are godparents: 1st, abbots and monks. By this name, beggars come (In cap. Non licet 103, de consecr., dub. 4, it is stated: "It is not permitted for an abbot or monk to receive children at baptism, nor to have godparents. It is, however, permitted for monks to be godparents by baptizing, as in Petroc., vol. 3, page 217, with the Glossary, in cap. Pervenit, dict. d.vb. 4. But whether beggars also come by the name of monks, Pal. tr. 19, p. 11, §. 1, n. 4, and Salm. cap. 7, n. 47, with Con., deny; but it is better to affirm, Conc. t. 8, page 189, with Laym., Ang., Sanch., Fill., Bon., Diana, etc., and Ronc. cap. 6, qu. 1, r. 3. The reason is that, although beggars do not come in the odious sense by the name of monks, nevertheless, the Roman ritual, title De patrin., forbids this in all regular canons, saying: 'Monks or religious, nor others of any order, who are segregated from the world, are not to be admitted to this [godparenthood]. However, those who have become bishops are not prohibited from doing so, as Pal. says in the aforementioned passage, with Laym., Sanch., etc., and Holzm. n. 163, with the common opinion); although Laym. wishes to include all those living in cloister, and in many places the custom is contrary regarding abbots. 2nd, spouses with respect to their spouses, and parents with respect to their children, unless there is necessity. 3rd, those with infamous morals. 4th, apostates and heretics: who, in no case, seem to be to be admitted; because they are...

[*Latin ed. p. 453*]

The advocacy [to be a godparent] would be a protestation against what is considered a false religion, since those who are to be godparents are, without exception, adherents of a false faith; although Layman, in this chapter, number 7, states that, possibly, it can be admitted for a grave reason. However, Catholics, for a reasonable cause, can accept a heretic, who baptizes and preaches, as a godparent, at least in Germania: Layman, chapter 9, number 6. (and Croix, number 370, agrees with Gobius and Tamburini, if, by this, the rites of the heretics are in no way approved, which is contrary to the faith, against Navarret and Lessius, etc.). As to whether a heretic can be used as a godparent for a grave reason, Layman affirms, and Palafox agrees, if otherwise a grave offense would arise; but Tannus and others, according to Croix, number 373, generally deny this.

5. More than two [godparents]; because the Council of Trent permits only one, or at most one and one, because a spiritual bond usually arises from this; therefore, it commands the parish priests, under penalty of a punishment imposed at the discretion of the ordinary, that if more than two offer themselves, they should ask those to whom the godparents are to be assigned to designate one or two, and that only those who enter into a spiritual bond with them should be admitted, and that their names should

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be recorded in the book, and that they should be informed of the spiritual bond contracted, namely, that it does not impede or dissolve marriage, not between themselves, but between them and the baptized person, and with the baptized person's father and mother. However, parents are excepted when they accept the role of godparent for their own child.

[*Latin ed. p. 454*]

In necessities. See Layman's locis, cited above. 157. Question: Whether two spouses can lawfully accept a foreign child. Suarez, 3, p. qu. 67, art. 8, citing from the constitution of Urban II, related in c. fin. 30, q. 4, where it is said: But that the spiritual purity of paternity may be preserved free from all stain and infamy, we decree that it is fitting that neither (of the spouses) should presume to do this together. However, Suarez argues that this is no more than venial, based on those words – "we decree that it is fitting" – which seem to only indicate propriety. But that there is no sin is probable, and this is taught by Navarrus, manual, chapter 22, n. 3g; Sanchez, on marriage, book 7, dist. 57, n. 5; Bonaventure, in the same title, question 3, part 5, §. 2, n. 5; and Salmeron, on baptism, chapter 7, n. 51. The reason is that, because it has already been introduced by custom as lawful; and this is expressly taught by D. Thomas, in 4 distinct., 42, question 1, art. 3, qu. 2, ad 4, where he says: Nothing prevents a husband and wife from jointly raising a child from the sacred font. 158. 1. In private baptism, given out of necessity, the father should not accept or hold the child as godfather, since in this case there is no necessity for a godfather; therefore, if he does this, either then or even in public baptism, rashly (the same applies if he himself baptizes his own child).

[*Latin ed. p. 455*]

He gravely sins, and moreover, he incurs, in a subsequent circumstance, a bond of affinity with the spouse, and, as Sanch. de matr. dist. 36, and others commonly teach, he is deprived of the right to claim the dowry; which, however, is denied by the Council and by Diana, dub. 4, de sacram. r. 5. V. Bon. de matrim. qu. 3. part. 5. §. 2., Escob. t. 7. e. 1., where Suarez is cited, who denies it (and indeed, probably).

2.º If, among many godparents, no certain ones are designated by the parents, or, in their absence, by the parish priest, who, excluding others, would incur a bond of affinity, and thus many, through ignorance or the negligence of the parish priest, are chosen, it is probable that all incur a bond of affinity (unless, however, they are only present and do not touch [the child]). V. Laym. lib. 5. t. 10. p. 4. cap. 8. et tr. 2. cap. 9. n. 4. Diana, however, p. 9. tom. 7. r. 5. from Suarez, Merat., and Perez, says that in that case, no bond of affinity is incurred. (V. dicta n. 154.)

159. 3.º The parish priest gravely sins: 1.º if, through negligence, he frequently omits to record the names of the baptized in the book; both because

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of the law of the Council of Trent in a serious matter and under a serious penalty, and also because of the inconveniences and damages that result from it. Quintan. loc. cit. But although Per. and Serra, apud Diana, p. 9. t. 7. r. 5., say that it is probable that he only sins venially, others condemn him to a mortal sin.

[*Latin ed. p. 456*]

It also gravely sins when a parish priest solemnly baptizes without a godfather, since this is among the principal ceremonies. Croix, *Liber Sextus*, page 1, number 348, and 349, citing Gobinus, Gormani, Bona, and Quintanus. Similarly, he gravely sins if he admits a godfather who has not been designated, as the aforementioned authors state in Wigand, in the cited passage, and in Tournhem, volume 4, page 347, question 4, citing Bona, Hurtado, Barbatus, Vega, and others; and this is according to the decree of the Council of Trent, in the cited passage, where it is stated: "The parish priest, before conferring baptism, diligently inquires who or whom he has chosen." 160. Furthermore, it should be noted from the Roman Ritual that the parish priest, after administering baptism, must 1st record in the book the names of the baptized person, his parents, and the godparents; 2nd, remind the godparents of the spiritual relationship they have contracted and of their obligations; 3rd, instruct the mothers and nurses not to lie down with the infants, due to the danger of suffocation. Tournhem, volume 4, page 344, citing Barbatus, Anaclarius, Pirbing, and others, commonly states that if such lying down is entirely without fault, as can happen, for example, if the bed is on the side, the child is restless, and cannot otherwise be protected from the cold, and prefers to remain in the same position and place while sleeping, then all penalty shall cease. Thus, Tournhem.

[*Latin ed. p. 457*]

CHAPTER II. ON CONFIRMATION. FIRST DOUBT. WHAT IT IS, AND WHAT ITS MATTER AND FORM.

161. In what way is Confirmation a sacrament?

162. What is the remote matter of this sacrament? And whether the necessary matter is olive oil and balsam.

163. Whether the blessing of the chrism is necessary. And whether this can be performed by a simple priest. Whether there is an obligation to use new chrism.

164. What is the proximate matter? And whether, beyond the chrismation, another imposition of hands is required.

165. Whether the unction can be performed with a finger other than the thumb of the right hand.

166. Whether it can be done with another instrument.

167. Concerning the form in the Latin Church.

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168. What changes in the form invalidate the sacrament? Concerning the form of the Greeks.

169. Concerning the effects of Confirmation.

161. "RESPONSE. 1st. Confirmation is the unction with chrism, under the prescribed form of words, upon the forehead of the baptized, by the bishop, whereby he, according to the institution of Christ, receives an increase of grace and strength." (Thus from the Council of Trent, Session 7, canon 1, and the decree of Eugene IV, in the instruction to the Armenians, and from other councils, according to Bellarmine. It is also stated in the second letter of St. Fabian, that this sacrament was instituted by the Lord during the night of the Last Supper, when Christ said to the Apostles.)

[*Latin ed. p. 458*]

He taught this. See Salm. on Confirmation, chapter 1, paragraphs 2 and 11; also Petroc., volume 3, page 226, question 2; Cont. Tourn., volume 5, from page 5, who prove this from tradition.) 162. "Response: 2.º The essential material of it is the chrism, prepared from balsam and olive oil, blessed by the bishop. Thus, the common opinion of Doctors. " Therefore, it is resolved: 1.º Neither balsam alone is sufficient, as Canus wished, nor oil alone, as Caj., Sot., Nav. wished. " It is certain that oil is necessary for the sacrament, from the last chapter on sacred unction, and from the decree of Eugene IV, as Salm. chapter 12, paragraph 3, with commentary, and Croix, book 6, part 1, paragraph 375: and it must be olive oil, as St. Thomas teaches, 3rd part, question 72, article 2; for through this oil, which is naturally oily and flowing, the grace of the Holy Spirit is signified, which Christ, the head, pours out upon us. But balsam is certainly necessary for the precept. Whether it is also necessary for the sacrament, the first opinion denies, and this is held by Juen., volume 7, page 208; Cont. Tourn., volume 5, page 46; also Nav., Sot., Val., etc., as found in Salm. on Confirmation, chapter 2, paragraph 5, and Croix, with Cov., Dicast., Av., etc., consider it to be a probable opinion. They prove this from the decree Pastoralis, on sacraments that are not therapeutic, where Innocent III..."

[*Latin ed. p. 459*]

When questioned concerning a subdeacon ordained without the imposition of hands, and another confirmed with only blessed oil, he responded as follows: In such cases, nothing should be repeated, but rather what has been negligently omitted should be carefully supplied. Hence, (as they say), balsam is not of the essence of the sacrament, for otherwise the entire sacrament would have had to be repeated. However, the second opinion, which is more common and more probable, affirms this, and it is held by D. Th. cited, art. 2; Bellarmine, *De Confirmatione*, chapter 8, proposition 2; Gonet, *D. 6*, article 6; Suarez, *Qu. 72*, dist. 33, section 1; Petrocchi, *I*, 3, page 261; Council, *I*, 8, page 204, n. 12; Holzmeister, page 40, n.

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194; and Salm, n. 7, with Pal, Laym., and Bon. Furthermore, the Roman Catechism, n. 7, teaches the same, where it is stated: "Two things mixed together (namely, oil and balsam) provide the matter of Confirmation." This is proven, first, from the decree of Eugene IV, approved by the Council of Florence, where it is stated that the matter of Confirmation is *chrism* made from oil and balsam. Those who oppose this decree cite Tournhem and Habert, who argue that since the *chrism* was formed, the Council had already been dissolved; for the Greek bishops, along with their emperor, had already departed, having concluded the business of their union with the Latin Church. But Petrocchi, *I*, 3, page 269, responds that the Council did not cease, since the Greeks had agreed to its continuation, in which the second union of the Armenians was to take place.

[*Latin ed. p. 460*]

Wherefore, in this decree, Eugenius maintained the same manner of speaking, customary in general councils: "This sacred council of Florence approves it." And at the end, it was said: "Given in Florence, in a public and solemn synodal session, celebrated in the greater church, in the year of Our Lord 1431." Furthermore, as Petroc testifies, this decree was received in all parts of the Catholic religion. It is proven secondly, from chapter 2, concerning the unique [sacrament], of holy unction, where Innocent III, after distinguishing three kinds of oil, namely, the oil of catechumens, the oil of the sick, and the chrism, which (as he says) is made from oil and balsam by a mystical means; for by the oil, the luster of conscience is signified..., by the balsam, the fragrance of fame is expressed. Then, in § "Per frontis," in the same chapter, the sacrament of confirmation is called "chrismation," not for any other reason than because of the chrism which is used there. This is confirmed by the ancient practice of the Church: and Bellarmine says that it is not true that any of the Fathers before Pope Gregory the Great remembered this mixture of balsam; for Pope Cyprian, much earlier (as Bellarmine recounts), had already written: "Today, in the Church, the sacred chrism is prepared, in which, mixed with oil, the balsam expresses the unity of the priestly and royal glory." Also, Saint Clement is said to have made mention of the fragrant odor of the chrism. To the text, however...

[*Latin ed. p. 461*]

In the preface to chapter *Pastoralis*, it is responded, following Petrocchi and Holzmüller, that when the priest says, "I shall supply what has been omitted," he does not intend to supply a simple anointing with balsam alone, but the entire chrismal unction; and therefore, he says it is not to be repeated. For, as the *Glossa* states there, "it is not said to be repeated that which has not previously been performed." However, it is certain that neither opinion is of faith, nor is it certain; therefore, the sacrament must

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be conferred with both oil and balsam, otherwise, at least, it would be doubtful, as rightly say Habert, vol. 5, page 28g, Bellarmine in the cited passage, and Natali Alexander, article 2, proposition 2, and therefore, if given with only oil, it would at least be under the condition of being repeated. Conversely, because the first opinion is sufficiently probable, Croix rightly states, number 376, with Gobinet, that in articulo mortis, the confirmation can be properly conferred under the condition of being given with only oil, if the chrism, which is made with balsam as well, cannot be obtained: for the great utility of this sacrament would be justly served. The reason for administering it under the condition, as stated in number 28. Furthermore, balsam of any region suffices; as they say, Gonet, *manuale*, vol. 6, page 163, Palafox, part 4, number 3, Croix, number 377, with Concilii Tridentini decrees and Viva, question 3, article 1, number 1, Bonaventure, etc., and Gobinet; provided that it is in such a quantity that it gives off its odor, even if it is not mixed with each part of the oil.

[*Latin ed. p. 462*]

163. 2. Furthermore, the episcopal blessing is of the essence, as it is common against Cajetan; therefore, neither by delegation, nor by a bishop, nor by the Pope, can a simple priest confer the chrism. Council of Trent, Session XXII, Chapter 6. "Whether the chrism ought to be blessed by a bishop. It is certain among all that, by necessity of precept, the chrism must absolutely be blessed by a bishop. But it is doubted: 1st, whether, by necessity of the sacrament, the chrism ought to be blessed at least by a priest. Paludanus denies this, according to Salmeron, chapter 2, paragraph 15, and others, according to Petrocchi, volume 3, page 262, question 3. But this must certainly be affirmed with others, and it is proven from the decree of Clement VIII, according to our Benedict XIV, in *De Synodo*, book 7, chapter 14, paragraph 4, where Clement, speaking of the blessed oil used in extreme unction, decreed that extreme unction administered by Latin priests with oil blessed by themselves, without the concession of the Pope, is invalid. In the words of the decree: "The sacred extreme unction conferred upon the Latins by Greek priests with oil blessed by themselves is valid." It is doubted: 2nd, whether the chrism must necessarily be blessed by a bishop. The first opinion, which is more common, affirms this, and this is held by *D. Th.* 3, part 1, question 73, article 5; Petrocchi, volume 3, page 262, question 3; Council of Trent, Session XXII, Chapter 6; and Salmeron, chapter 1, paragraph 15; and they believe..."

[*Latin ed. p. 463*]

It is proven from the Councils of Nicaea I, Rome II, and from chapter 119, question 4, concerning consecration, where Innocent I says: "It is permitted for priests (who baptize outside of, or in the presence of, a bishop) to anoint those baptized with the chrism which has been consecrated by the bishop;

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however, they are not permitted to mark the forehead with the same oil, which is due only to bishops when they impart the Spirit of Paraclete." The same is prescribed in the decrees of Eugene IV, where it is stated that the matter of Confirmation is the chrism blessed by the bishop. The second opinion, held by Tourn. in *Praelectiones Theologicae*, volume 7, page 237, and by Cajetan, Valois, Barbatus, and Victorius, as found in Salmeron, chapter 1, number 16, as well as by Cardinals Gotti, Juencius, and Druin, as found in the Council [cited], denies this; and, speaking speculatively, Suarez, *Disputationes*, 35, section 2, and Croix, book 6, page 1, number 238, consider this opinion probable. The reason is that, just as the Pope can grant a simple priest the power to confirm, as we will see in the following number 170, so too he can entrust to him the blessing of the chrism. And none of the documents presented sufficiently proves that the chrism must necessarily be blessed by the bishop, not only out of necessity of precept, but also for the very nature of the sacrament. I said, speaking speculatively; for in practice, when the matter is very doubtful, the first opinion must, for the sake of caution, always be followed. 3.º Regarding the essence of the sacrament, it is the same.

[*Latin ed. p. 464*]

Whether the chrism be new or old, it is gravely sinful for one to use anything other than the new chrism, that is, the one consecrated that year; for this purpose, each year on the day of the Lord's Supper, it is consecrated, the old being burned. (Commonly, Salm. cap. 2, n. 21, from c. Si quis, de confir. d. 4.)" 164. "Answer 3rd: The proximate matter is the unction on the forehead by the hand of the bishop (hence this sacrament is also called the imposition of hands by St. Luke, Acts 8). This is done in the form of a cross. All of these things are necessary for the sacrament, as the common [teaching] holds. Here, we must address that great and much-debated question, for which many authors have written entire books, namely, what is the proper matter and what is the proper form of the sacrament of Confirmation. Therefore, I must linger here for a little longer. I have previously discussed this question in earlier editions of this work, but recently I wanted to bring it back to the forefront, and I confess that, after spending almost fifteen days reading canons and authors, I was unable to form a judgment as to what should be held as certain. Finally, the reasons which I will present at the end of the question have removed all doubt from my mind, and I have formed a certain judgment in my opinion. There are many opinions on this matter, but three are the most important. The first opinion holds that the essential matter is..."

[*Latin ed. p. 465*]

This sacrament consists of that imposition of hands which is found in the Roman Pontifical, at the beginning of the rite, where the bishop, before

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proceeding to the unction with chrism, extends his hands towards those to be confirmed, reciting the prayer: "O Almighty and eternal God, etc." He states that the unction which is subsequently applied by the bishop is the accidental matter, not instituted by Christ, but by the Church. Thus, the Cardinals Aureolus in the 4th Dist., 7th Qu., 1st, Sirmundus in his anti-heresies with Samb., and a few others, hold this view. These authors are led to this conclusion by that passage in Acts 8, where St. Luke, relating the mission of Peter and John to Samaria, writes: "Who, when they were come, prayed for them that they might receive the Holy Ghost; for as yet it was not come to any of them, but they only were baptized in the name of the Lord Jesus." Then they laid their hands upon them, and they received the Holy Ghost. From this, they argue that the apostles used only the imposition of hands as the matter in this sacrament, and therefore, they maintain that this is also the essential matter even now. However, we shall see below how improbable this opinion is. The second opinion states that the essential matter consists of both the imposition of hands which takes place at the beginning, and the unction which is subsequently applied by the bishop. This is held by Merb. disc. 2, qu. 4, Juen. theol. t. 7, de Lig. Theol. Mor. T. VIII. V.

[*Latin ed. p. 466*]

Confirm. concl. 1; Tourn. prælect. theol. eod. tit. art. 3; those who at least consider this opinion probable; Hab. de confirm. qu. 5; Gen. t. 3. eod. tit. p. 115; Conc. t. 8. eod. tit. cap. 2; Gotti theol. tr. de confirm.; Du-Hamel t. 2. d. 2. cap. 1. concl. 1; et Cont. Witasse t. 7. de confirm.; who, however, do not openly defend this opinion. The Fathers say that the imposition of hands is proven from Scripture, Acts 8, as mentioned above; and that the unction with chrism is proven from the Holy Fathers, whose authorities we will cite below. Finally, a third opinion, which is common or nearly common, which we defend and which we consider to be the most certain, holds that the proper and complete matter of Confirmation is the unction with chrism, which is applied to those being confirmed by the imposition of hands of the bishop. This is taught by St. Thomas, 3rd part, qu. 72, art. 2, where he states that chrism is the proper matter of this sacrament. Elsewhere, lect. 1 in c. 6 ad Hebr., he does not deny that the imposition of hands is also a matter of Confirmation, but that imposition which accompanies the unction. St. Bonaventure, in 4th dist. 7, art. 1, q. 2; Estius, lib. 4, d. 7, §. 7; Th. Wald. de sacram. cap. 113; Isamb. in 3rd part, qu. 12, disp. 1, art. 4; Cabass. in notitia ecclesiast. ad 2nd canon of the council of Arausio; Bellarmine, de confirm. cap. 2 et 9; and Hugo de S. Vict.

[*Latin ed. p. 467*]

Book 2, on the Sacraments, part 7, chapter 2; Peter Aurelius in *Orthod.*, part 1, chapter 7; St. Antoninus, 3rd part, title 14, number 2; Suarez, in 3rd

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part, question 72, article 2, division 33, section 4; Silvestro, ibid., question 72, article 2; where he states that it is a matter of faith that the material substance is only the chrism; Gregory of Valencia, in 4th part, 3rd doubt, question 1, point 2; Bertius, *De Theol. Discip.*, volume 7, on Confirmation, chapter 4; Collet, *Cont. Tourn.*, volume 4, on Confirmation, chapter 3, article 1; Salmeron, *Con.*, question 72, on the same subject, title, article 3, doubt 1; Fillon, *Tr.*, 3, chapter 1, number 9; Tannery, volume 4, division 4, question 4; Soto, in 4th division, 7th question, 2nd article, 2nd part; Sylvester, *De Confirmatione*; Navarrus, chapter 22, number 8; Tolosa, book 2, chapter 24, number 1; Roncaglia, *Theol. Mor.*, on Confirmation; Alen, part 4, division 4; Scotus, in 4th division, 4th question, 1st part; Gonet, *Manual*, volume 6, page 167; Layman, book 5, treatise 3, chapter 2, number 5; Holzmüller, *De Confirmat.*, number 198; Antoine, ibid., title, number 11; Frassineto, volume 11, page 395; see "Quod autem"; Petrocchini, volume 3, on the same title, question 3, page 256; La Croix, book 6, part 1, number 280, with many others; also William of Paris; Maldonato and de Marca, in *Cont. Witasse* (see the cited passage), who assert that this opinion is followed by all Thomists and Scotists. Furthermore, the catechism on the sacrament of Confirmation, § 7, teaches that the chrism, made from oil and balsam, is the sole material substance of this sacrament. And it diligently adds: "That it is the material substance of this sacrament, both in itself and in its use."

[*Latin ed. p. 468*]

The Church and the Councils have perpetually taught, and this has been handed down from Saint Dionysius and from many other most serious Fathers, first and foremost from Pope Fabian, who (in epistle 2 to the Eastern bishops, which is cited in your Canon Law letters, on consecration, dist. 3) testified that the Apostles received from the Lord the preparation of chrism and left it to us. There is no doubt that the imposition of hands is required for constituting the matter of Confirmation, as can be deduced from Scripture and from the Fathers, as stated by Tertullian in *De Resurrectione*, chapter 8, by Saint Cyprian in epistle 73 to Jubajan, by Saint Hieron in *Dialogues against Lucifer*, by Saint Augustine in book 15 of *De Trinitate*, chapter 26, and by others. But it should not be doubted that the anointing with chrism is equally designated by the Fathers as the matter; thus Saint Dionysius, Saint Cyril of *Hieron*, Tertullian, Saint Ambrose, Saint Cyprian, Saint Augustine, and others, whose authorities we will transcribe below. Therefore, we acknowledge that both anointing and imposition are required for the matter of Confirmation, but only that imposition which is distinct from anointing. And this is excellently demonstrated by Bellarmine in *De Confirmatione*, chapter 9; for when (he says) the Fathers have said indifferently that the grace of the Holy Spirit is conferred in this sacrament now through anointing, now through imposition, and now through both,

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it follows that anointing is always to be considered.

[*Latin ed. p. 469*]

When joined with the imposition. Bellarmine continues: Since the Fathers teach that only bishops confer the Holy Spirit through chrism, they prove this from Acts 8, where it is written: "Then they laid their hands upon them, and they received the Holy Spirit." Thus speaks St. Dionysius: "The consummation of unction, through which the influx of the Divine Spirit is bestowed." Concerning the ecclesiastical hierarchy, see chapter 4. Tertullian: "The unction, by which the flesh is anointed so that the soul may be consecrated." Book 2, on Baptism, chapter 7. St. Cyprian: "It is also necessary to be anointed, so that, having received the chrism, one may possess the grace of Christ within oneself." Letter to the Numidians. Likewise, Innocent I, Epistle 1; Damasus, Epistle 4; Leo, Epistle 88; and St. Augustine, Book 15, on the Trinity, chapter 26. From this, Bellarmine argues that such testimony from the Fathers would have no force if the imposition of hands had not been joined with the unction. Therefore, when the Fathers taught that the sacrament is conferred through chrism, and they proved this from the imposition of hands described in the Acts, they necessarily understood that the apostles also laid hands upon the hands, anointing them, and thereby conferred the Divine Spirit. Furthermore, it is clear from chapter 1, section "Per frontis," of Innocent III's work "De Sacra Unctione," that the single material of chrism now used by the Church is the same as that used by the apostles: "Through the chrismation of the forehead, the imposition of hands is signified."

[*Latin ed. p. 470*]

which is otherwise called confirmation; because through it, the Holy Spirit is given and added in abundance. This is to be understood not as something that is hinted at, or represented, or signified, but as a sign, assigned, present, or held; for this is clearly evident from the immediately following words: "Therefore, while a simple priest or presbyter can administer the other unctions, this one must only be conferred by the highest priest, that is, the bishop; because it is written of the apostles alone (whose vicars are the bishops) that they gave the Holy Spirit through the laying on of hands, as the reading of the Acts of the Apostles makes manifest." "When the apostles who were in Jerusalem heard that the word of God had been received in Samaria, they sent Peter and John to them; and when they came, they prayed for them that they might receive the Holy Spirit; for it had not yet fallen upon any of them, but they had only been baptized in the name of our Lord Jesus; then they laid their hands upon them, and they received the Holy Spirit," whose coming is signified by the ministry of unction. It is certain that the material of the sacraments, which were instituted only by Christ, cannot be changed; as Bellarmine says in *Controversiae de

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controversis*, against certain more recent authors: "But that the apostles changed the material, I know not how it can be proven." Therefore, when Innocentius says that...

[*Latin ed. p. 471*]

Bishops are rightly accustomed to anointing, because only the Apostles imposed hands; therefore, that imposition was the same as now, which is an anointing by imposition. Thus, Suarès writes appropriately: "Therefore, (the pontiff) understands that that imposition of hands was the same as the one now, which is also signified by the name of chrismation... and he proves that it is sufficient, based on the present usage of the Church, etc.: bishops now do only what the Apostles did by imposing hands, namely, confirming." And this is confirmed by another canon of the same Innocent III, in chapter 4, concerning customs, where the pontiff, in order to condemn certain priests who were conferring sacraments reserved only to bishops, says: "As for the sacrament of confirmation, which bishops alone ought to confer upon the baptized by the imposition of hands, through anointing." Note: anointing... by the imposition of hands; therefore, to impose hands is the same as to anoint. The same is found in the letter of Michael Palæologus, sent to Gregory X, and related in the Council of Lyons II. In that letter, the emperor was making a profession of faith, which was well received by Gregory; and there it was said: "Another is the sacrament of confirmation, which bishops confer by the imposition of hands, anointing the baptized." This is also confirmed by Innocent IV, in epistle 10, chapter 4, according to Labb.

[*Latin ed. p. 472*]

t. 11, page 676, where it is written: "Only the Apostles, whose place is held by bishops, are said to have conferred the Holy Spirit through the laying on of hands, which the chrismation on the forehead represents. The word 'represents' means to make present." Here, there remain three other points of great importance, each of which is sufficient to prove our opinion as certain. The first is the authority of Eugene IV, in a decree issued at the Council of Florence, approved by the Council itself, for the instruction of the Armenians, where it is defined as follows: "The second sacrament is Confirmation, whose matter is the chrism consecrated from oil, which signifies the vigor of conscience, and balsam, which signifies the fragrance of good reputation, blessed by the bishop. The formula is: 'I sign you with the sign of the cross, and I confirm you with the chrism of salvation, in the name of the Father, and of the Son, and of the Holy Spirit.' The ordinary minister is the bishop; and while a simple priest can administer the other unctions, this one must only be conferred by the bishop, because it is written that only the Apostles conferred the Holy Spirit through the laying on of hands, in whose place the bishops hold, as the reading of the Acts

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of the Apostles demonstrates. 'For when the Apostles heard that Samaria had received the word of God, they sent to them.'"

[*Latin ed. p. 473*]

"Peter and John, who, when they were come, prayed for them that they might receive the Holy Spirit: for as yet it had not come upon any of them; but they were only baptized in the name of the Lord Jesus. Then they laid their hands upon them, and they received the Holy Spirit." In the place of the laying on of hands, there is given in the Church the Sacrament of Confirmation. According to this definition of Eugene and the Council, many Fathers say that it is a matter of faith that only the unction with chrism is the matter of Confirmation. But three objections are made by the adversaries to this decree. They object that, when Eugene issued this decree, the Council had already been dissolved. But this is not true; for although the Greeks departed from the Council, the Latin Fathers remained, and even the Greeks themselves gave their consent before their departure that the Council should continue. Moreover, as we say with Berti, and it is certainly to be held by all, that the Pope in his definitions concerning faith is, by himself, infallible, as we have demonstrated in the dissertation placed in the treatise on laws, chapter 1, doubt 2, in fine, from number 75. Furthermore, it cannot be said that the Council was dissolved by the departure of the Greeks, as the adversaries say, citing Spondanus and Cardinal Pallavicino; for Spondanus, in the year 1439, expressly states the contrary, saying: "It was not dissolved with the departure of the Greeks."

[*Latin ed. p. 474*]

The Florentine synod, but one continued with the Latin Fathers for three subsequent years. And Pallav. testifies to this in *Opponunt* 2. Others argue that Eugenius, by assigning unction as the matter, did not assign it as the essential matter, but only as an accidental one, as he demonstrated by assigning the presentation of instruments (without mentioning the imposition of hands) as the matter of the order, whereby the opinion of the authors is more probable, that the imposition of hands is the essential matter, and the presentation of instruments is only accidental, or integral, or at most, partially integral. Others respond with Menardo that the reason the Pope, when speaking of the sacrament of orders, did not mention the imposition of hands, is because that practice was already in use among the Armenians, to whom he wished to transmit a particular rite of the Roman Church. Others respond, as Gammach. does, that the imposition [of hands] was already established by Scripture, and therefore no mention was made of it. Others respond that Eugenius only mentioned the instruments because for the rest, he referred to the Pontifical, saying: "As is widely contained in the Roman Pontifical." But a better response is given by Berti, that Eugenius designated the instruments in the order only as symbols of

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the duties of those being ordained; whereas in confirmation, he designates the chrism as a symbol of grace, which...

[*Latin ed. p. 475*]

Through the sacrament, [the grace] is conferred; but [the grace] is not conferred unless the entire essential matter is applied. I offer another response, which seems stronger to me. When speaking of the sacrament of Holy Orders, Eugenius does not mention the laying on of hands, and thus it appears that he was silent about it, but not that he excluded it; however, when speaking of the sacrament of Confirmation, he explicitly mentions both the chrism and the laying on of hands, which the Apostles used in this sacrament. Therefore, if the Pope had thought that the laying on of hands was a matter distinct from the unction, he certainly should have designated both the unction and the laying on of hands as the matter, and should have described the forms of both matters; otherwise, his teaching would not be correct, because it would not be complete, but rather mutilated; and therefore, since Eugenius omitted the laying on of hands as distinct from the unction, it must be said that he excluded it. They object, saying that Eugenius, in a decree, said: "In that place where the laying on of hands was given in the Church, Confirmation is now given." Therefore, according to the meaning of Eugenius, the laying on of hands that the Apostles used has now been changed into Confirmation, that is (as they add), into chrismation. But Tournhem rightly responds in his work, chapter 3, quoting Bellarmine, who, in *De Confirmatione*, chapter 12, says: "The meaning is not that the chrism is in place of the laying on of hands, as if the Apostles had not used it."

[*Latin ed. p. 476*]

We, too, do not use the imposition of hands with chrism. But the meaning is: that which the Apostles did when they were said to impose hands, is now done by bishops when they are said to confirm or to anoint with chrism. "For the distinction lies not in the rite from the rite, but in the manner of speaking from the manner of speaking," that is, in the name from the name; for what was formerly called the imposition of hands, is now called confirmation. And this is clear. Innocent III, in the chapter "Cum venisset S. Per frontis," expressed it thus: "The anointing with chrism on the forehead signifies the imposition of hands, which is called by another name, confirmation." The synod of Sens also testified to this in the year 1528 (vol. 14, Concilia, page 452), stating: "Then (in the time of the Apostles), the sacrament was called the imposition of hands; now, it is called confirmation." Before Bellarmine, Hugo of Saint Victor wrote: "The imposition of hands, which is commonly called confirmation, by which the Christian is marked with the unction of chrism through the imposition of hands on the forehead, belongs only to bishops, just as in the primitive Church, only the

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Apostles gave the Holy Spirit through the imposition of hands." Book 2, on the sacraments, part 3, chapter 2. Thomas of Walden also wrote, adding that it is not right to believe that the Apostles conferred this sacrament through the imposition of hands without anointing; in his own words: "Therefore, it is not right to conclude that..."

[*Latin ed. p. 477*]

Regarding confirmation: it is not the case that there was no oil of unction or chrism in the primitive Church, but rather that the laying on of hands was only for the reception of the Holy Spirit. Then he adds: "Therefore, let no one say who wishes to be faithful, that the sacrament of confirmation was performed without unction, solely through the imposition of hands by the apostles; for he who anoints does not impose hands." Volume 2, on the sacraments, chapter 113. Peter Aurelius adds in his *Orthodox*, published at the expense of the Gallican clergy: there, the author, part 1, chapter 7, speaking of the meaning of the Holy Fathers regarding the matter of confirmation, says: "For (the Fathers) did not wish the imposition of hands and chrismation in the sacrament of confirmation to be merely joined together, but rather to be united in a single and unique action. Therefore, they do not say that unction and the imposition of hands are given, but rather that unction is given with the imposition of hands." And he cites Bede and others; then he adds: "And from this it came to be decreed that the chrismation should be performed by the bishop with his thumb, that is, by imposing his hand. And this custom has since been accepted by all subsequent centuries and has been brought down to us through the constant use of the Church, and it does not seem to have been foreign to the churches of the East in the early centuries." Therefore, at the end, he says: "The imposition that is done is a preliminary rite to the sacrament of confirmation, by which the neophytes are prepared to receive the Holy Spirit."

[*Latin ed. p. 478*]

"gratiam." But what does that elevation of hands signify? Berti responds in chapter 6, that through that ceremony, the bishop demonstrates that he is praying, invoking the Holy Spirit for the strengthening [of those being confirmed]. Another important point is that celebrated rule accepted by all, from Saint Augustine (in book 4, chapter 24, of *De Baptismo*), where it is said: "That which the entire Church holds, and which was not instituted by councils, but has always been retained, is rightly believed to have been transmitted only by apostolic authority." Saint Basil taught this first (in *Liber de Spiritu Sancto*, chapter 27), where he said that the dogmas and institutions which are preached in the Church, and which we have not received from the doctrine explicitly revealed in Scripture, but which have been transmitted to us from the tradition of the Apostles, in mystery, that is, in secret, must be believed absolutely. From this, Tournhem rightly argues

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in *De Confutatione Haeresium*, article 3, that since the anointing in the sacrament of Confirmation has been used from the very earliest centuries, and has always been retained thereafter, although Scripture has not made any mention of anointing, it must be held, from the tradition of the Apostles, and consequently from the institution of Christ, that this sacrament began to be conferred from the very beginning of the time of the Apostles, through the laying on of hands, together with the anointing with chrism. And that the anointing has always been used in the Church, both Latin and Greek, from the beginning until now, is evident from the tradition of Patrologia.

[*Latin ed. p. 479*]

Concerning this, the first and most important foundation is found in the Apostle in 2 Corinthians 1, verse 21, and 22, where it is said: "Now he that confirmeth us with you in Christ, and that hath anointed us, is God: and he hath sealed us, and given the earnest of the Spirit in our hearts." These words are interpreted as pertaining to the sacrament of Confirmation by St. John Chrysostom, by Hilary, and by Theodore of Mopsuestia, concerning this passage, and by Ambrose in his book "On Those Who Are Initiated," chapter 7. Furthermore, that which is said: "And grieve not the holy Spirit of God, in whom you are sealed," (Ephesians 4:30), explains the sacrament of Confirmation, as St. Augustine writes in book 15 of "On the Trinity," chapter 26. Furthermore, St. John says: "And as for you, let the unction, which you have received from him, abide in you; and you have no need that any man teach you," (1 John 2:27); thus, it is explained by St. Cyril of Jerusalem in the third mystery of the Catechism: "This holy unguent is no longer a simple or common unguent, after it has been consecrated, but it is the chrism which effects the presence of Christ and the Holy Spirit, that is, of His divinity; by which the forehead and other senses (he speaks of the Greek rite) of your body are symbolically anointed; and indeed, the body is anointed, but the soul is sanctified by the holy and vivifying Spirit." St. Justin, in his "Responsio ad Orthod.," question 137, says: "Then, in the sacred bath, which is performed through symbols, after those things, we are sealed with the unguent." Theophylos, who lived in the year 170, wrote: "Certainly, no other... "

[*Latin ed. p. 480*]

We have taken the name of Christians, because we are steeped in the divine oil. Book addressed to Autolycus, near the end. St. Irenaeus: Then he who is initiated is anointed with ointment; for they say that this ointment is a type of that fragrance which has destroyed all things. Book 1, chapter 18. Tertullian: Afterwards, having gone forth from the bath, we are anointed with the blessed oil, according to the ancient discipline. The anointing runs in us carnally: but it profits us spiritually. Book 2, on Baptism, chapter

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7. Note: according to the ancient discipline. Pope Cornelius, in Eusebius, book 6, of ecclesiastical history: Novatus, lying in bed, should be anointed for necessity, and let not the other things which are usually performed after baptism be solemnly completed in him, nor should he be sealed with the chrism, so that he may never deserve the Holy Spirit. St. Cyprian: It is also necessary to anoint him who has been baptized, so that, having received the chrism, that is, the anointing, he may be able to be called the anointed of God, and to have the grace of Christ in himself. Letter to the Numidians. The Council of Constantinople, I, in canon 7, speaking of heretics coming to the Catholic Church, teaches thus: Those who present writings and anathematize every heresy, which they believe to be the holy Catholic and apostolic Church; and who are first signed, or anointed, with the holy chrism, on the forehead and the eyes and the nostrils and the mouth and the ears, and those who sign them, we say that the sign is the seal of the gift of the Holy Spirit. St. Basil.

[*Latin ed. p. 481*]

Let us consecrate the water for baptism and the oil for unction; from what writings? Is it not from the silent and secret tradition? And indeed, which word written reveals the use of oil for unction? *Liber de Spiritu Sancto*, chapter 17. Saint Ambrose writes: "After this, that is, after receiving baptism, you certainly went to the priest; for all are anointed with spiritual grace for the kingdom of God and for the priesthood." *Liber de initiand.*, chapter 6. Pope Innocent I, in his letter to Decentius, wrote: "Only the bishops mark the foreheads with oil when they impart the Spirit of consolation." Saint Augustine writes: "The spiritual unction is itself the Holy Spirit, whose sacrament is in the visible unction." *Tractatus* 111, on the epistle of John, number 5. And elsewhere: "For we are anointed only in the sacrament, and in the sacrament itself, something of what we will be is prefigured." *In Psalm* 26, *Enarratio* 2, number 2. Saint Leo, in his letter 88, says that the bishop should mark the forehead of the baptized with chrism. Saint Gregory the Great, in his *Sacramentarium*, writes: "The neophyte is confirmed when the bishop, with a dyed thumb in the chrism, makes the sign of the cross on the forehead." I omit countless other authors who, after the fifth century, speak of the unction with chrism. For Du-Hamel, chapter 2, numbers 5 and 6, testifies that Sirmundus himself confesses that in the early centuries, unction was joined with the laying on of hands, and that this practice was also received after the time of Innocent I.

[*Latin ed. p. 482*]

Furthermore, Du-Hamel adds that all theologians agree with Sirmond on this point. Therefore, considering, on the one hand, the rule praised by Saint Augustine, that all things which the universal Church holds, and

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which we do not know to have been instituted by any council, should be believed to have been derived from the tradition of the Apostles. And, on the other hand, considering that the Church has always and everywhere preserved the use of chrism, as has been shown above, we must certainly hold that this practice descends from the Apostles, taught by Christ, especially since it pertains to the matter of the sacrament; for even the Apostles (as Suarès rightly observes, section 4) had a bound power in the sacraments instituted by Christ. Therefore, it must be absolutely held that the Apostles used the unction of chrism in the administration of this sacrament, as Fabian, the Pope, expressly taught long ago in his second letter to the Orient (see canon 8, letter, dist. 2, de consecr.), where, speaking of chrism and the obligation of renewing it annually, he says: "This we have received from the holy Apostles and their successors, and we command it to be observed by you." Therefore, when it is read in Acts 8 that the Apostles gave the Holy Spirit by laying on of hands, and that only one imposition is named there, it is understood that if they were administering the sacrament of Confirmation, that imposition was.

[*Latin ed. p. 483*]

Regarding the indistinct application of the unction. Nor does it matter that there is no express mention of the unction in Scripture; just as in the Acts, there is no express mention of administering baptism in the name of the three divine persons, but only in the name of Christ (They were baptized in the name of our Lord Jesus. Acts 19:5), and therefore it does not follow that the apostles baptized only in the name of Jesus; so too, although there is no express mention of the unction in the Acts, nevertheless, from tradition, it is proven that confirmation was conferred through unction, joined with the laying on of hands. Many other things (writes St. Jerome) which are observed through tradition have usurped the authority of the written law. And this is in accordance with the teaching of St. Thomas (3a, q. 72, art. 1, ad 1), who teaches: Where sensible signs were miraculously exhibited by divine power, sensible sacramental matter was not necessary. However, the apostles commonly used chrism in the administration of the sacrament, when such signs were not exhibited; for Dionysius (Ecclesiastical Hierarchy, Jerome, chap. 4) says: There is a certain perfecting operation, which our leaders (that is, the apostles) call the chrism. And from all of this, it is clear how improbable is the opinion of Sirmund, who says that the unction of chrism is only an accidental matter of this sacrament. And Gregory of Valentia...

[*Latin ed. p. 484*]

I. The first opinion is considered erroneous; Sotus, however (according to himself), considers it heretical; P. Berti writes that it cannot at least be excused by the mark of temerity. Consequently, the opinion is also false.

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Du-Hamel, who says that it is probable that the unction in Confirmation is only necessary by the necessity of the precept, and not by the necessity of the sacrament.

The third reason by which our certainty is strengthened is derived from the declaration of Benedict XIV, who in an encyclical letter which begins *Ex quo primum*, addressed to archbishops and bishops of the Greek rite, etc., number 54 (in the collection of bulls, volume 4, page 225), dated March 1, 1756, where the Pope, in § 51, having mentioned the controversy which exists in the Latin Church among theologians as to whether the imposition of hands and the unction with chrism are the distinct or indistinct matter of this sacrament, says: "To each one it is permitted to follow that part which pleases him more." With these words, he indicates that he considers the first opinion contrary, as being safer, and that it can certainly be held, but also that he can embrace our opinion as safe and morally certain, otherwise, when dealing with the matter of the sacrament, he could not have taught that it is permissible to follow the part that pleases each one.

Furthermore, at the end of the aforementioned § 51, he adds: "It is not permitted to anyone to assert that the sacrament of Confirmation is not present in the Greek Church." If anyone were to maintain this opinion,

[*Latin ed. p. 485*]

This manifestly contradicted the ancient Eastern discipline, which the Apostolic See has always understood well and has never condemned or disapproved of, according to which, in the books of the Greek rituals, there is no mention of the imposition of hands, as a material element either suitable or unsuitable for the sacrament of Confirmation. But what is more pressing, and entirely confirms our position, is what Benedict adds immediately in the following §. 22, where, when explaining what should be safely held regarding the matter and form of the sacrament of Confirmation in the Latin Church, as he briefly summarizes there, he teaches: "Therefore, let this be stated without controversy: namely, that in the Latin Church, the sacrament of Confirmation is conferred using the sacred chrism, that is, olive oil mixed with balsam, and by the bishop, with the minister of the sacrament making the sign of the cross on the forehead of the recipient, while the same minister pronounces the words of the formula. Therefore, he teaches that it is validly conferred with the sole unction of chrism applied by the hand of the bishop, and that the only form is that which accompanies the unction. But he who would not wish to agree with this dogmatic declaration of the Pope, teaching the entire Church in a matter pertaining to faith, could object to the Pope nothing other than that, even when teaching the Church, he..."

[*Latin ed. p. 486*]

It is not infallible. But to this statement, Suarez and Bannez would reply

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that such opposition cannot be excused as recklessness, indeed, Bellarmine, in book 4, chapter 2, verse, writes that it appears to be entirely erroneous and close to heresy. Furthermore, according to our opinion, that the total matter adequate for confirmation is the chrism oil applied by the hand of the bishop, it must be noted that the essence of the sacrament consists of: 1st, that the unction be made on the forehead, as is evident from chapter 1 on sacred unction and from the decree of Eugene IV, according to the common opinion held by Suarez, Controversiae, Laym, and others, with Salm, chapter 1, number 24-25. 2nd, that the unction be made in the form of a cross, according to St. Thomas, 3rd part, question 72, article 4, ad 3, which is also commonly followed by Doctors, as noted by Salm, ibid., number 25. 3rd, that the unction be made by the hand of the bishop himself administering it, as taught by Suarez, Castrop, La-Croix, and others, with Salm, ibid. These are the elements of this sacrament; but observe what must be said about its form, which are very relevant to what has been said here. 165. 1st, although, by necessity of the precept, the unction must be made with the thumb of the right hand, it would nevertheless be valid if it were made with the finger of the left hand; because it would truly be done by the imposition of the episcopal hand. Thus, the Preceptor and others (with Viva de confir: question 3, article 1, number 3.

[*Latin ed. p. 487*]

(Laym. cap. 2, at the end; Pal. p. 3, n. 4; Suar. d. 33, sect. 3; Renz. cap. 2, qu. 6, with Conc. and Hurt.) However, the bishop will sin gravely against the universal custom of the Church. See Laym. here, 2, and Escob. t. 7, ex. 5, where he teaches that it is probable that he does not sin mortally. "The common opinion, as Laym. a. 2, n. 5, and Renz. de confirm. cap. 1, qu. 6, with Conc. state; also Suar. and Reg. apud Escob. ibid. iii, n. 112, is that a bishop sins gravely if he anoints with any finger other than the thumb of the right hand, both because he acts against the rubric and the custom of the Church in a grave matter; and also because, for this purpose, the thumb is anointed in the consecration of the bishop, as Renz. says. But Escob. in the cited passage, with Trull., Nugn., and Diana p. 3, tr. 3, rest. 22, with Dic., Av., and Tamb. §. 2, n. 7, say that it is probable that this does not exceed venial sin; and indeed, it is not clear that the omission of the aforementioned ceremony reaches the level of mortal sin. Therefore, they say that if the bishop had the aforementioned thumb infirm, he could lawfully anoint with another finger. However, it is not certain that the bishop's thumb is anointed for this purpose; for in the pontifical, it is stated that after the anointing of the thumb and index finger of both hands of the bishop, then both of his hands are entirely anointed, as also happens in the anointing of

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the hands for the initiation to the priesthood.

[*Latin ed. p. 488*]

166. » 2. It is probable that it is required for the validity of the sacrament that the unction be administered immediately by the bishop, without any intermediary instrument. Thus, Fill. and Laym. argue against certain others; because it must be done by the imposition of hands. Escob. vol. 9, ex. 7. They say that Henry, Vivald., etc., apud Croix, book 6, page 1, no. 380, can administer confirmation with a sprinkler or some other instrument. But Laym., treatise 3, chapter 2, Holzm., page 42, no. 198, in the cited passage, and Viva de confirm., question 3, article 1, no. 4, along with Suar., Con., and others, rightly reject this opinion. The reason is that, in that case, the immediate imposition of hands by the minister would be lacking, which is entirely required; but that mediated imposition is improperly called imposition. It does not, however, contradict this to say that Extreme Unction is validly administered by an instrument, as we shall say in no. 710. For Holzm. rightly responds that there, the imposition of hands is not required for the validity of the sacrament, as it is required in Confirmation. Regarding the quantity of chrism, that quantity suffices and is required which is sufficient to anoint the forehead of the one being confirmed in the form of a cross, as Suar., d. 38, and Salm., chapter 2, no. 29, state, along with Pal. and Bon. 167. » Resp. 4. The true and necessary form in the Latin Church is: "Signo te signo crucis et confirmo te chrismate salutis" (By the sign, as the Council of Trent has it), or "Consigno te signo crucis et confirmo te chrismate salutis" (I consecrate you with the sign of the cross and confirm you with the chrism of salvation, as St. Thomas has it).

[*Latin ed. p. 489*]

In the name of the Father, etc. Concerning whether it is necessary that both actions, namely the signing and the anointing, be expressly signified, the scholastic theologians dispute. Layman and Fillon, Vol. 3, Disp. 10, Conc. loc. cit., art. 3, Diano, Resp. 27.

Four opinions exist concerning the form of Confirmation. The first is that of those who hold that the imposition of hands alone is a sufficient matter for this sacrament; therefore, they say that the form is simply the prayer that precedes the anointing. But this opinion is entirely false, as we have demonstrated above, n. 164. The second opinion is that of those who hold that both the imposition of hands, which precedes the anointing, and the anointing itself are partial matters; hence, they say that the form consists of the aforementioned prayer and the words accompanying the anointing, and thus think Juen, Natalius Alexander, Gotti, and Tourn. The third opinion, a singular one, is that of the continuator of Tourn, namely Collet, Vol. 5, on the sacraments of Confirmation, chapter 4; where it is scarcely possible to understand why this learned author, after maintaining

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that there is only one matter that he defends as being present in this sacrament, then wishes it to require a double form. The fourth is our opinion and that of the common opinion, which is defended by all the aforementioned authors, n. 164, above. Here, the Council joins with them, who, although in Vol. 8, on Confirmation, chapter 2, held...

[*Latin ed. p. 490*]

It is the matter of this sacrament, yet, chapter 3, paragraph 5, states that there is one form. Therefore, we say that just as the total matter adequate for Confirmation is the chrism, applied by the hand of the bishop, so too are the words that the bishop pronounces while anointing: "I sign you with the sign of the cross, and I confirm you with the chrism of salvation, in the name of the Father, and of the Son, and of the Holy Spirit." Thus, Saint Thomas teaches in the 3rd part, question 72, article 4, and thus defined Eugene IV with the Florentine Council, in the decree addressed to the Armenians, saying: "The form is: 'I sign you with the sign of the cross, and I confirm you with the chrism of salvation,' etc., along with other words which we mentioned above in paragraph 164. Although the pontiff may expressly mention the prayer of the Apostles in Acts 8, he does not teach that there is any other form than the one described above. Hence, it follows that Eugene not only omitted, but entirely excluded, every other form except for this one; otherwise, he would not have rightly, and therefore not completely, instructed the Church. In this form, as Saint Thomas teaches, everything that is contained in this sacrament is adequately explained: namely, the sign of Christ's cross, to which the confirmed are ascribed through those words: "I sign you with the sign of the cross"; the effect of the sacrament, that is, the strengthening grace, through those words: "I confirm you with the chrism of salvation"; and the cause of the grace, namely, the Most Holy Trinity, through those words: "in the name of the Father, and of the Son, and of the Holy Spirit."

[*Latin ed. p. 491*]

The authority of the Roman Catechism is added, which, instructing concerning this sacrament in § 12, states that this is the perfect and absolute *forma* of this sacrament, and adds that the authority of the Catholic Church does not permit us to doubt anything concerning this matter. Furthermore, the Council of Bourges, held in the year 584, and approved in subsequent years, in its 20th decree concerning Confirmation, canon 3, and finally approved by Sixtus V; there it was said: "There is no proper *forma* in the administration of this sacrament, nor one which the Church has customarily used, other than: 'I anoint you with the chrism of salvation.'" Guided by these considerations, the Council of Trent, cited above, writes that we must not deviate from our opinion, namely, that the proper *forma* consists only of the words that accompany the unction.

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The adversaries object with Acts 8: "They prayed for them that they might receive the Holy Spirit...: and when they had laid their hands upon them, they received the Holy Spirit." Therefore, they say: "If the prayer was the *forma* that the Apostles used, and now in the unction with chrism, no prayer is recited, then at least the prayer that is said by the bishop at the beginning, when he raises his hands, is a partial *forma*." Response: Bellarmine, in *De Confirmatione*, chapter 10, objection 1, states that the *formae* of the other sacraments are not expressed in the Scriptures: "Nowhere," he says, "is it written that in Baptism one must say, 'I baptize you'; therefore, the word of God..."

[*Latin ed. p. 492*]

The tradition sufficiently testifies to the custom of the entire Church. St. Thomas [Aquinas] expresses the same sentiment in the aforementioned place, article 4, ad 1, saying: "For the Apostles observed in the administration of the sacraments many things which are not commonly found in the Scriptures." Therefore, Dionysius, chapter 7 of *Ecclesiastical Hierarchy*, says: "The consummating invocations [that is, the words with which the sacraments are perfected] are not rightly explained by those who interpret the Scriptures, nor is the mystical nature or the divine powers operating within them brought from the hidden to the common understanding, but our sacred tradition teaches them without ostentation [that is, secretly]." Therefore, Suarez, following the footsteps of the Angelic Doctor, writes in the aforementioned place in St. Thomas, dist. 33, sect. 5: "Those words—they prayed that they might receive the Holy Spirit—do not signify the form, but rather the preliminary prayer which the Apostles offered so that the baptized might receive the Holy Spirit, as is also done in the Church today, or it should be said that the form of the unction, 'Signum te etc.' in the prayer, is indicated because it contains a virtual efficacy, inasmuch as it adheres to divine power and promise." It should not be considered that Suarez asserted this gratuitously; for in the aforementioned Roman order, cited by Alcuin and Amalarius, who lived before the year 800, in the office of the Holy Saturday, it is said that the bishop, in the manner of one praying, pronounces the words:

[*Latin ed. p. 493*]

Mark them, O Lord, with the sign of the cross; and then, while anointing, he says: "I confirm you in the name of the Father, etc." Therefore, Bellarmine, cited in chapter 10, states that when we say "May you be signed," we always signify that God is the one who signs principally, and the man who signs ministerially. And Bellarmine confirms this in the same chapter, objection 1, writing: "The formulas of the sacraments are commonly called by the Fathers mystical prayers, although sometimes they are expressed by the words of the one who indicates [the sacrament]; for the principal

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operation is always expected and requested from God." This is all the more true, since it is known that the formula of this sacrament was formerly expressly a prayer in the chrism anointing, as is read in St. Ambrose, book 2, on the sacraments, chapter last, where the formula was: "God who has regenerated you, almighty, and who has forgiven you your sins, may He Himself anoint you for eternal life." Cont. Witasse, in question 3, on the form of confirmation, article 3, states that, up to the ninth century, the formula was a prayer; therefore, he adds: "Nothing prevents this formula ('May you be signed,' etc.), although indicative, from being an invocation of the Holy Spirit." This is consistent with what St. Leo wrote in his letter to Nicetas, chapter 7: "Those who are baptized by heretics are to be confirmed only by the invocation of the Holy Spirit, through the laying on of hands." Observe: only by the invocation of the Holy Spirit.

[*Latin ed. p. 494*]

Already, in the present form, it is contained in those words, in the name of the Father, and of the Son, and of the Holy Spirit: "But concerning whatever may have been of ancient rites concerning the administration of this sacrament, in which many changes have occurred, we say that, if it is certain that there is one total matter of Confirmation, namely, the chrism to be applied by the hand of the bishop, as we have demonstrated above in n. 164, then it must be said that there is one form, not two. The contrary party objects: but in Confirmation, there are the imposition of hands and the anointing with chrism; therefore, the prayer which precedes the anointing is the form corresponding to the imposition; but the words which the bishop afterwards speaks while anointing are the form corresponding to the unction. But here lies the crux of the question which is debated between us and our opponents; and it is necessary to resolve this crux. It pleases our opponents to suppose that in this sacrament there are two matters concurring, or, as Collet supposes, that there are two actions present in the same matter; namely, the imposition and the anointing. But it has already been demonstrated above, when we spoke of matter, that the imposition and the anointing are neither two distinct matters, nor two actions of one matter, but one, singular, and individual action, namely, the anointing applied by the hand of the bishop, so that the anointing itself is the action, and the anointing by the hand of the bishop is not a distinct action, or..."

[*Latin ed. p. 495*]

It is separated, but it is only a manner of anointing instituted by Christ, insofar as the anointing must be performed by the bishop alone, and not by another. This is what Bellarmine wrote in *De Confirmatione*, chapter 9, where he wisely observes that the Holy Fathers, saying that the Holy Spirit is given in one place through the laying on of hands, and in another through anointing, clearly understood that both things, namely anointing

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and the laying on of hands, are the same, namely, anointing by laying on the hand, or the laying on of hands by anointing. Thus also wrote Thomas Waldensis: "Let no one say that the sacrament was once performed without anointing; for he who anoints also lays on his hands." *De Sacraments*, chapter 113. Peter Aurelius wrote even more explicitly: "For the Fathers did not intend that the laying on of hands and chrismation should be joined together, but rather united into one and single action; therefore, they do not say that anointing and the laying on of hands are given, but anointing with the laying on of hands." And indeed, Innocent III, in chapter 1, *De Sacramento Unctionis*, stated this, saying: "Through the chrismation of the forehead, the laying on of hands is signified, which is also called confirmation." And elsewhere, in chapter 4, *De Consuetudinibus*, he wrote: "As for the sacrament of confirmation, which the newly baptized owe only to bishops, it must be conferred by the laying on of hands." Therefore, when the priest says, "anointing..."

[*Latin ed. p. 496*]

through the imposition of hands, it clearly teaches that the same action is both to anoint and to impose hands, since in the very act of anointing, the imposition of hands is necessarily contained. "For indeed," says Bellarmine (chapter 2), "the anointing and the sign are most properly called the imposition of hands." Thus, in Mark 7, when some requested that the Lord impose his hands upon a lunatic, he did so; for he touched his tongue and his ears with his finger. "But if the proximate matter of Confirmation is one action, namely, the anointing through the imposition of hands, or the imposition of hands with anointing, then it pertains to a single action or a single matter, a single form. Furthermore, it is certain that from many centuries, from the time of St. Thomas until our own time, all writers unanimously held that the anointing with chrism is the unique matter, and the words of the bishop accompanying the anointing are the unique form of this sacrament. And from this it follows that bishops commonly do not require all those to be present at the beginning of the rite; when the minister, raising his hands, offers the prayer, he does not hesitate to confirm those who arrive after the first part of the rite has already been completed. To all of this is added the declaration given above by Benedict XIV in the constitution *Ex quo primum* addressed to the Greek bishops, on March 1, 1746, the words of which are here repeated: "That..."

[*Latin ed. p. 497*]

Therefore, it is beyond dispute that this is the case: namely, in the Latin Church, the sacrament of Confirmation is conferred, using the sacred chrism, etc., while the same minister pronounces the prescribed words. There, therefore, no mention is made of any other matter than the anointing with chrism by the hand of the bishop, nor of any other form than the

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words pronounced by the bishop while anointing; and thus, the pontiff teaches that it is beyond dispute that in the Latin Church the sacrament of Confirmation is conferred. If this declaration is not sufficient for someone, it is sufficient for me and for others who steadfastly hold that the Supreme Pontiff, when speaking, teaches that the Church can never err in matters pertaining to faith.

168. It should be noted, with Salm. cap. 2, no. 33, and the common opinion of the Doctors, that substantial changes to the form invalidate the sacrament; namely: 1st, if the word "signo" or "confirmo" is omitted; 2nd, if the expression of the Holy Trinity is omitted; 3rd, if the word "te" is omitted; 4th, if the words "signo crucis" or "chrismate salutis" are omitted. However, to say "corrobo" instead of "confirmo" would be an accidental change, as Salm. no. 44 states, along with Sot., Gran., and others; just as to say "sanctificationis" instead of "salutis" would be, as St. Thomas states in *Summa Theologica*, part 1, question 4, article 1, along with Val. and Salm. there, along with others.

169. The question arises: is the form used valid by the Greeks in this sacrament, when they say:

[*Latin ed. p. 498*]

The sign of the gift of the Holy Spirit signifies that the gifts of the Holy Spirit are conferred through that sign. The Doctors commonly agree with Arculphus; and thus, they report that Urban VIII declared in Croix, number 383. Therefore, it is unlikely that Viva, in *De Confirmatione*, question 3, article 1, number 6, doubts the validity of the sacrament when conferred with this formula, because it lacks the invocation of the Most Holy Trinity; for it is too harsh to say that the entire Greek Church lacks this sacrament. Furthermore, it is likely that Tournhem, in *Praelectiones Theologicae*, volume 7, page 240, and his *Continens*, volume 5, page 61, at the end, and Juencke, volume 7, page 205, state that, among the Greeks, as well as among the Latins, the Persons of the Most Holy Trinity are well invoked in this sacrament, with this difference, that in the Latin Church, the Most Holy Trinity is invoked after the unction, while in the Greek Church, it is invoked beforehand in the preceding prayer. There are three effects of this sacrament: 1. A character, as from the Council of Trent, session 7, canon 9, and from the decree of Eugenius IV, *Salm.*, chapter 3, number 2, and Croix, number 384. - 2. Grace, that is, a special strength to fight the battles of the Lord; indeed, in the *Capitula Novissima de Consecratione*, dist. 5, it is declared that in Confirmation, the fullness of the grace of the Holy Spirit is conferred, similar to that which the Apostles received on the day of Pentecost, as taught in the Roman Catechism, on the sacrament of Confirmation,

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number 21; and also, sometimes through this sacrament.

[*Latin ed. p. 499*]

The first grace is confirmed, as taught by St. Thomas, article 7, section 2, and Salm. number 4, with Suarez, Palotti, Layman, Bona, etc.; according to the aforementioned numbers 84-3. The effect is spiritual communion, in the same manner as stated regarding baptism, number 156, at the end. Thus, from chapter V, concerning spiritual communion, Vivian, question 3, article last, number 1; Salm., chapter 4, number 43; Croix, number 383.

SECOND DOUBT: WHO IS THE MINISTER AND WHAT IS THE SUBJECT?

170. Are only bishops the ministers of confirmation?

171. Does a bishop who confirms those who are not his commit a grave sin?

172. And what penalty does he incur?

173. And can he presume the consent of other bishops?

Question 1. o Must the one confirming and the one being confirmed be fasting?

2. o Must confirmation be administered in a church; and can it be conferred on a weekday and in the evening?

175. When is a bishop obligated to confirm?

176. Who are validly confirmed?

177. Infants?

178. Is it illicit to confirm children without a reason?

179. What disposition is required for confirmation?

180. Can the insane be licitly confirmed?

RESPONSE:

1. o The ordinary minister of valid confirmation is solely and every bishop, even if excommunicated or a heretic; however, by commission or delegation from the Pope, even a simple priest can administer it. This is a common opinion.

[*Latin ed. p. 500*]

V. Fernandi, *Lectiones de Sacramento Confirmationis*, liber 5, tractatus 3, caput 9; Bonaventurae, *Summa Theologica*, distinctio 3, pars 2. "Quaestio: utrum Papa possit concedere ad sacerdotem simplici facultatem confirmandi. Certum est quod solus episcopus est minister ordinarius hujus sacramenti, ut sancivit Innocentius III. in capitulo uno de sacra unctione, §. Per frontis, ubi dixit: Cum cæteras unctiones simplex sacerdos valeat exhibere, hanc (scilicet chrismationis) non nisi summus sacerdos, idest episcopus, debet conferre. Et idem definivit Concilium Tridentinum, ses-

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sio 7, caput 3, ubi: Si quis dixerit sanctæ confirmationis ordinarium ministrum non esse solum episcopum, sed quemvis simplicem sacerdotem, anathema sit. Dubium autem fit utrum ex concessione pontificis possit simplex sacerdos confirmare tanquam minister extraordinarius. Negat Viva de confirmatione, quaestio 3, articulus 2, n. 1, ac Salmerius, caput 4, n. 18, cum communi, ut asserunt. Sed vera sententia affirmat, sicut Thomas Aquinas, *Summa Theologica*, 3, pars, quaestio 72, articulus 11, ad 1; Petrocannus; Concilia; duo Tournheienses; Croix, liber 6, pagina 1, n. 386, cum Paludanus, Avila et aliis multis. Et hoc hodie non amplius dubitandum ex hac Bulla Sanctissimi Patris Benedicti XIV., incipiente Eo quamvis, edita 4. maii 1745 (in bullario, tomus 1, pagina 511, §. 8.), ubi pontifex indulsit ut Cophtis sacerdotes missionarii pro necessitate possint ministrare confirmationem, et addit."

[*Latin ed. p. 501*]

This is not a new practice, but one commonly used by Saint Gregory the Great and other pontiffs; and Father Zacharias, in his work *ad Croix*, book 6, page 378, recounts that Eugene IV granted a certain Franciscan missionary the faculty not only to confirm, but also to prepare the chrism. 171. "1.º Although a bishop gravely sins if he confirms, either in another diocese or those not subject to him, without the consent of his own bishop, at least tacitly, due to a lack of jurisdiction (The bishop who confirms in another diocese, even his own subjects, incurs suspension from the pontifical office by law, according to the Council of Trent, session 6, chapter 5, and the declaration of the Sacred Congregation *apud Salm.*, chapter 4, number 20.), the confirmation itself is nevertheless valid; because this is not required by the necessity of the sacrament, but only by a precept. "2.º The bishop is excused from sin if he confirms those who are present from another diocese; because the tacit consent of the other bishop is presumed, to whom this would be pleasing, especially if it is customary in that way, or if they may be difficult to confirm in their own diocese. Thus, contrary to what is taught by Bona, part 3, on sacraments, Tannler in 3rd part, question 4, part 3, and Sa v. consecr., and others teach. "172. Question: Can a bishop confirm those who are not his own within his own diocese? By itself, as Bus explains, it is certainly not permissible, and it is forbidden to him under a grave penalty; and Bona adds, page 2, number 10, even under suspension (but where...)

[*Latin ed. p. 502*]

This suspension does not indicate [anything], nor do I find [anything] to indicate it; for there is only a suspension concerning the bishop who ordains a foreigner [who is] subject to him, as we shall say in order number 760. But there is indeed a difference in reason between the bishop who ordains and the bishop who confirms; for the bishop who ordains must

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approve those whom he ordains, but the bishop who confirms confirms those who come to him. Furthermore, it is also certain and a common opinion among learned doctors that where it is permitted by custom, it can lawfully be done, as they say in the Council, volume 8, page 216, number 18; Holzmuller, page 45, number 209; Roncaglia, question 1, regulation 1. And that this is a practice received in use, Paley rightly states, page 9, number 7, and Croix, book 6, page 1, number 392:173. However, Bona, in the aforementioned place, with Anglaise, Ledoux, Vivaldi, etc., considers it more probable that in this case, the approval of the proper bishops should not be presumed, unless it is established. Others, however, as the Council, Paley, books and chapters, Layman, chapter 6, section 3, Salm, chapter 4, number 25, with Tannery, Henry, Barbier, Sa, etc., and Croix in the aforementioned place, with Praelatus, Avila, Burghardt, and Delbare, more commonly and more probably consider it lawful for bishops to confirm foreigners subject to them; because it is always presumed, unless otherwise established, that there is a tacit consent of the other bishops, who are to be believed to desire that their flocks should not be deprived of this sacrament, since no harm results from it to them.

[*Latin ed. p. 503*]

The bishop can more readily lawfully confirm a candidate who presents a dispensation from his own ordinary; for then, it is rightly presumed that there is consent, even from the bishop of the diocese, as Viva states, question 3, article 2, number 2; Croix, number 392, with the Dicasterium, Henr. and Salm, number 24, with Pal., Laym., Fag., etc., 174, question 1.

Question 1: Whether, when the sacrament of Confirmation is administered, both the one administering and the one being confirmed ought to be fasting. It seems that this should be affirmed, based on the canon concerning fasting and the canon concerning bishops, regarding consecration, in the fifth district. However, commonly, Doctors of the Church say that this is not a matter of precept, but of counsel; hence, this sacrament is often conferred after a meal, especially when a large number of people are to be confirmed: thus, Laym., book 5, treatise 5, chapter last, number 2; Pal., on Confirmation, treatise 20, division 1, page 10, number 4; Con., question 72, article 12; Bon., book 3, on the sacraments, question 1, page 2, number 13, with many; Gran., treatise 4, division 2, number 3; Salm., treatise 5, chapter 4, number 33; and Escoh., book 2, number 175, with Led., Hurt., etc.; or, as Suar. states, on Confirmation, division 37, section 2, paragraph 4, it can be said that the law concerning the conferring of this sacrament before a meal is not commonly received; for custom has almost prevailed so that this sacrament is conferred after a meal.

Question 2: Whether Confirmation ought absolutely to be conferred in a church, and on a festive day. Nunnus states, question 72, article 2, near the

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end, that it is a mortal sin.

[*Latin ed. p. 504*]

To confer the Sacrament of Confirmation outside the Church is permissible, as in the case of a mortal person who is to be solemnly baptized, even though it may be contrary to the custom of the Church. Nevertheless, the words of Suarez, book 37, section 2, number 2; of Bona, page 2, number 14; of Palearius, number 6; of Barbatus, book 2, on the power of the bishop, allegation 30, number 13; of Escobar, book 2, number 2, number 178, with Hurtado; of Diana, volume 2, treatise 3, miscellaneous readings, number 17; and of Salmeron, chapter 4, number 32, with Henry and Salazar, teach that it is possible, without grave sin, to administer Confirmation in some suitable place, even outside the Church. Nor does custom stand in the way of this; for Bona and Barbatus, in the aforementioned places, have responded that such a custom obligating the confirmation to be done in the Church should not be believed. Therefore, it seems to obligate at least under a light penalty, unless some reasonable cause excuses it, whatever Palearius and Escobar may say. Furthermore, concerning the ancient custom regarding the time for administering this Sacrament, Grancisco and Barbatus, in the aforementioned places, and Salmeron, number 34, state that the practice has already been established that Confirmation can be conferred on any festive or working day, and at any time of morning or evening. Moreover, Constantino adds that this is also true even during a general interdict, from chapter "Responso, de sent. excomm. 175." "3. The bishop sins gravely if, for a long time, he does not confer Confirmation; because he deprives his subjects of a great benefit."

[*Latin ed. p. 505*]

This is certain among all. (V. Holzm. p. 54. n. 210., Croix n. 388., Conc. p. 216. n. 18., Pal. p. 9. n. 13.) However, the Bishop is bound, at his own expense, to make the circuit for the purpose of administering Confirmation, as Pal. and Croix state; although, they add, except when there is a reasonable custom of requiring payment for such expenses. Therefore, Croix says in the same place, that it is a grave sin for a Bishop to delay, for 8 or 10 years, making the circuit, at least through the principal places, as Pal. and Salm. c. 4. n. 31. state, unless there is a moral impossibility. However, if there is a just cause, he does not sin if he delays for three or more years; Croix with Gob. etc., in the aforementioned place. It is gravely sinful for a Bishop not to administer Confirmation to a dying person who requests it, as Bon., Quintan. etc. affirm. But Croix n. 390., with Escob., Lugo etc., state that it is by no means sinful, because the inconvenience is excessive and the common practice is otherwise. And Salm. cap. 3. n. 25, 176, "Resp." agree.

All, and only those who have been baptized, are validly confirmed. The reason is: first, from the words in Acts 2: "He filled the whole house";

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second, from the usage and tradition of the Church; and third, because all are in need of its effect and are capable of receiving it. Those who are validly confirmed may also be lawfully confirmed, provided it is certain that they do not obstruct either the sacrament itself or its effect. The reason is clear from what has been said.

[*Latin ed. p. 506*]

177. 1.º Even infants and those lacking the use of reason may validly receive this sacrament. 2.º Although it is fitting for infants to defer receiving it until the use of reason, both for the sake of reverence for the sacrament, and also for the avoidance of repeated administrations, and for the benefit of the Church, nevertheless, for a reasonable cause, it may licitly be given to them even before, for example, if a prolonged absence of the bishop is feared, or if he rarely comes to these places; also, if the infant is in danger of death (in which some say it ought to be given); finally, if he is the son of a prince. Laym. here, vol. 3, chap. 6; Fill. vol. 1, tract. 3, chap. 2. (And it was decreed in the Fifth Council of Milan, as P. Zacharias reports in *Croix*, book 6, p. 1, no. 390, that boys might be chrismated not only because of the danger of death, but also for other reasons.) 178. It is certain that infants may licitly be confirmed if just causes are present, namely, the danger of death, the absence of the bishop, etc., as is commonly admitted by Bus., Salm. chap. 3, no. 16, with Suar., Pal., Councils, etc., from *D. Th.* 3rd part, q. 71, art. 8, ad 4, where it is said that the sacrament should be given to boys who are dying, so that they may attain greater glory. Also, boys may licitly be confirmed where such a practice is prevalent, as Salm. no. 18 states, with Soto and Laym. chap. 5, no. 2; Vivaldo, who testifies that in Hispania, infants are confirmed at the age of two.

[*Latin ed. p. 507*]

Or of three years. Having established these or similar reasons, it is generally agreed among all that it is advisable to wait until the use of reason is present, as stated in the catechism, rule 18: "Indeed, the sacrament of Confirmation can be administered to all after baptism, but it is less advisable to do so before the child has attained the use of reason." Therefore, if the twelfth year is deemed to be the appropriate time to wait, it is certainly most fitting to postpone this sacrament until at least the seventh year. As to whether it is permissible to confirm infants before the use of reason, several authorities, namely Bonaventure, page 4, paragraph 5; Escobar, *de confirmatione*, paragraph 196; Holzmüller, volume 2, page 45, paragraph 227; and Salmeron, chapter 3, paragraph 22, state that there is no fault to be found in a bishop who would confirm infants; because this was an ancient custom, and such is still the practice in the Greek Church. Vivaldus also testifies that in Spain, infants are commonly confirmed at the age of two or three years; all the more so, they say, because nowhere is there seen to

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be a prohibition regarding this. But this cannot be said today, since Pope Benedict XIV, in the aforementioned constitution 129, § 6, published in the year 1745, declared that it is not permissible to confirm anyone before the use of reason; with these words: "Nevertheless, having completely abolished such a custom from the Church of *romana*, it has been decreed, in accordance with the decrees of the pontiffs, that..."

[*Latin ed. p. 508*]

Having been reborn from the font of baptism, the sacrament of confirmation should be conferred only in that age in which the faithful understand that baptism and confirmation differ from each other only as much as does the generation from its increase in natural life. Furthermore, Benedict, after many years from the issuing of this constitution, in his celebrated work on the councils, book 7, chapter 10, paragraph 5, writes that, although the catechism asserts that it is not expedient to administer confirmation to children before the age of seven, nevertheless, it does not prohibit that it be conferred upon them in any case. He adds that, having noted this from Silvio, Suar., Silv., Ronc., Juen., Gotti, and others, they affirm that, according to the present discipline, confirmation can still licitly be conferred upon children even before the age of seven, for some urgent reason, namely, if the bishop were to be absent for a long time from his diocese, or if the child were in danger of death, or for another similar reason. Speaking of the dying, Benedict says in the aforementioned passage, paragraph 180, that confirmation should be administered to them without fail. It is doubtful whether one who is confirmed can be confirmed again; but a greater doubt is required than for baptism. Croix, number 393, with Nunn., Gob., etc., 179. However, one who is to be confirmed and is in mortal sin must prepare himself for the sacrament either through contrition or attrition, together with confession.

[*Latin ed. p. 509*]

However, it is otherwise if there is an absence of serious guilt, as stated in *Viva*, question 3, article last, number 1; in *Salm*, chapter 3, number 28, with Suarez, Paleari, and the common opinion. For confession appears to be a matter of counsel, not of precept, as the Doctors commonly say in *Viva* in the aforementioned place, and it is clearly deduced from chapter *Ut jejunit*, Dist. 5, on consecration, where it is said: "That they may be reminded to make confession beforehand." 180. 3rdly, even those who are perpetually contrite (especially if they have ever used their reason) are lawfully confirmed; although they may never, by accident, be spiritually offended. Thus Suarez, Fillon, Layman, *loc. cit.*, Conclusion of question 72, article 8, number 83. (This is common with Paleari, Concina, Bona, Barbatus, and *Salm*, chapter 3, number 23, against Soto, Valois, etc.)

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THIRD DOUBT. CONCERNING THE NECESSITY AND CEREMONY OF CONFIRMATION.

181. Whether there exists a serious obligation to receive the Sacrament of Confirmation.

182. Whether, by accident, namely, for the sake of avoiding 1st, danger; 2nd, scandal; 3rd, contempt, it is permissible to delay receiving it. And when does contempt intervene?

183. Whether there is a serious obligation to receive the Sacrament of Confirmation before receiving the First Holy Communion.

184. What ceremonies are to be observed in the Sacrament of Confirmation? And what is to be noted 1st, concerning the vestments of the Bishop; 2nd, concerning the place of chrismation? And whether those who are to be confirmed should be fasting.

[*Latin ed. p. 510*]

185. It is required that 1st, a godfather be present; 2nd, that he be one person; 3rd, that he be confirmed.

186. Objection: 1st, Does one sin gravely who omits [Confirmation] without being confirmed himself? 2nd, Does a godfather who is not confirmed incur any spiritual relationship?

187. It is also required that 4th, the godfather be different from the godfather at Baptism. Can monks be godfathers for Confirmation?

188. Is the binding of the chrism necessary for Confirmation? And is the final blessing of the bishop necessary?

189. Response: 1st, It is not necessary for salvation either by necessity of means or by a direct precept. This is the common opinion of St. Thomas and others, contrary to Scotus and Sylvester. The reason is, both because the Church does not urge its reception with any penalties, and because neither Scripture nor Tradition, nor the nature or institution of the sacrament, contain such a precept. And the canons which seem to contradict this are sufficiently explained as pertaining to necessity for a better state. I said "by itself," because accidentally, it can sometimes be necessary for salvation by a precept of charity towards oneself or one's neighbor, or for another reason, for example, to avoid scandal, or by reason of conscience, whereby someone greatly fears that he will fail in the torments [of Purgatory] without this sacrament.

1st, To neglect this sacrament, without scandal and contempt, is not a mortal sin, as Suarez, Layman, book 5, treatise 3, chapter 5, and Bona, part 1, question 1, paragraph 2, teach, where they show that there is no precept to receive it.

[*Latin ed. p. 511*]

2. Although an omission arising from contempt, for example, if some-

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one considers it insignificant, treating it as childish or vile, is a mortal sin, nevertheless, such a person is not considered to be in a state of grace if he neglects an opportunity offered to him, which he will not easily have again. Thus, the common opinion, against Silvester, see *Confirmandi et Tolerandi*, book 2, chapter 4. "This is a weighty question among Doctors, whether there is a serious obligation to receive this sacrament of Confirmation. The first opinion affirms, which is held by Mercurialis, *Controversae Tournenses*, volume 5, page 122, the Council of Trent, volume 8, page 223, from number 1, Habert, volume 5, page 321, chapter g, with Anglerius and Huguccio from St. Victor; also St. Bonaventure, St. Antoninus, Alensis, Sylvester, and Paludanus, in Palatine, *de confirmatione*, page 8, number 3. These Doctors say that this obligation arises both from natural law and from positive law. From natural law, because he inflicts a serious detriment upon himself who neglects to fortify himself with the great strength of this sacrament, instituted for this very purpose, when he is struggling against temptations. From positive law, both divine, as is proven from the Acts of the Apostles, 1, where Christ the Lord commanded them not to depart from Jerusalem, but to wait for the promise of the Father, namely the Holy Spirit, whose gift is bestowed in Confirmation; and also ecclesiastical law; for Urban, the Pope, in the chapter *Omnes*, 1st distinction, 5, *de consecratione*, wrote thus to the Christians: All the faithful, through the imposition of hands by the bishops, receive the Holy Spirit after baptism."

[*Latin ed. p. 512*]

They ought to receive it, so that they may be fully found to be Christians. This is also stated by Pope Melchiades in *cap. De Spiritu Sancto*, in the same distinction: "Auxilia confirmationis necessaria sunt victoribus." It is confirmed from the Roman Catechism, on Confirmation, § 6, where it is said of this sacrament: "Although it is not necessary, no one should nevertheless be denied it... For that which God has commonly offered to all for sanctification, ought also to be sought by all with the greatest diligence." Furthermore, St. Cyprian wrote in his letter 70: "It is also necessary for him who is baptized to be anointed, so that, having received the chrism, that is, the unction, he may be anointed by God and possess the grace of Christ." The second opinion, however, states that, in itself, no faithful person is strictly bound to receive Confirmation, and this is supported by the most serious authorities, as stated in Navarrus, *Manual*, chapter 22, number 9; Suarez, part 3, disputation 38, section 1, paragraph 1. Regarding this, Soto, distinction 7, question 1, article 8; Layman, on Confirmation, chapter 5, question 4, with Covarruvias, Abbondanzio, Pani, Adrian, Valois, Henry, Victor, and Concinius; also Frassen, volume 11, page 437, conclusions 1 and 2; Wigand, translation 11, example 6, number 89; Paleari, page 8, number 5; Bona, page 2, in the introduction; Roncaglia, chapter 2, question 2, response 2; Anaclasius, on the sacraments, page 544, number 68, with the common

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opinion, as asserted by Spotorno, volume 3, page 216, number 33; Elbing, volume 3, page 52, number 8; Viva, on Confirmation, question 3, article 2, number 9; Croix, book 6, page 1, number 394; and Salmeron.

[*Latin ed. p. 513*]

Chapter 4, paragraph 62. With others. And this opinion is openly adhered to by the Doctor [Thomas Aquinas]: for in the 5th part, question 72, article 1, ad 3, he says: "Some [sacraments] are without which there is no salvation; others, however, cooperate towards the perfection of salvation: and in this way, Confirmation is of the necessity of salvation, although without it salvation may be possible, provided that it is not neglected out of contempt for the sacrament." Also, in the 4th book, 7th question, 1st article, 2nd question, he repeats that Confirmation is necessary not for salvation, but for the perfection of salvation, just as a horse is necessary for walking and medicine for living healthily. He also adds that some sacraments are so necessary that without them [a person] cannot live the spiritual life, such as Baptism and Penance; others, without which [a person] cannot attain any effect that is conducive to the well-being of spiritual life; and in this way, Confirmation and all the others are necessary. However, contempt for any sacrament is dangerous. He confirms this more clearly in the aforementioned question 72, article 8, ad 4, where he says: "And therefore, Hugo, from St. Victor, says: 'It would certainly be very dangerous if it were to happen that one were to pass from this life without Confirmation; not because one would be condemned, unless perhaps because of contempt, but because one would suffer a detriment to perfection.'" Nor does Scotus disagree in the 4th book, 17th question, 1st article, number 11, where he says: "Extreme Unction was instituted by Christ and Confirmation..."

[*Latin ed. p. 514*]

"The Sacrament; and yet neither is simply necessary, nor is there a commandment regarding the reception of this one or that." Therefore, the proponents of this opinion assert that there is no commandment, either natural or positive, concerning the reception of this sacrament. Not natural, because although the Lord Christ instituted this sacrament as a particular means of overcoming the snares of the enemy, there are other general means, such as frequent reception of the Eucharist, prayer, penance, etc., by which the strength of the soul can also be obtained. Nor is it positive, because nowhere is such a commandment explicitly found. That which is in Acts, chapter ii, is understood to have been given only to the Apostles, so that they themselves might receive the Holy Spirit in a particular way, and undertake the ministry of preaching as founders of the Church, endowed with supernatural knowledge and with the gifts of prophecy, of tongues, and of miracles. But those things which are found in *Omnes* and *Spiritus S.*, as mentioned above, are understood not to be of the necessity of com-

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mandment for salvation, but for the perfection of salvation, as the Doctor [of the Church] teaches, and he says that the detriment or privation of this perfection does not induce damnation: for confirmation does not make a man perfect simply and in substance, which is the work of baptism alone, but in regard to the reception of a more abundant grace, or for the better.

[*Latin ed. p. 515*]

Spiritually, to which man is not bound under a grave obligation. Thus, it is also understood in the Roman Catechism; indeed, it is expressly stated there in §§ 17 and following, where it is said that those who are being led to the perfect state of the Christian religion must be confirmed. And then it is added: "The common Mother of all, the Catholic Church, earnestly desires that in those whom she has regenerated through baptism, the perfect form of the Christian man be fully realized." It is also noted that the Church does not command, but desires, which clearly indicates that it is not a precept of the Church. Regarding the text of St. Cyprian, it is responded that the Saintly Doctor does not say that it is necessary to receive this sacrament out of the necessity of a precept, but that it is necessary for one who wishes to obtain its grace; or it can be understood in another way, namely, that without confirmation, it was not permitted to administer baptism at that time when baptism was to be given together with confirmation, as is stated in c. De his, 3, dist. 5, de consecr. 182. The Fathers of the Second Council of Orange state that, speaking in itself, the omission of receiving this sacrament is not mortal, but they commonly agree that it can be mortal by accident in three cases. And 1st, if someone, by omitting it, firmly believed that he would risk losing his faith or charity, as Suarez, Paley, and Salm. n. 59 state.

[*Latin ed. p. 516*]

2. Or, if it is omitted with scandal, namely, if someone is suspected of heresy and is considered to despise Confirmation or to not believe it to be a sacrament, Pal., Laym., Ronc., Suar., Spor., Salm. n. 58, with others in common.

3. Or, if it is omitted out of contempt; which others understand to occur when someone neglects to receive the sacrament, even though he could conveniently do so; for they consider such a person to have, although not formally, a virtual contempt. Thus think Hab., Conc., Nat. Alex., Tourn., Juen.; also Silvest., Ric., and Gabr., apud Laym. II, cap. And this opinion is favored by Scotus, dist. 7, qu. 2, where he says: "It would be judged to be contempt if, with all opportunities offered, it were not received." Others, however, perhaps more plausibly, say that contempt only exists when someone neglects to receive Confirmation not because he is held back by some embarrassment or inconvenience, but because he considers it unimportant; for often people neglect to attain many spiritual goods out of neg-

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ligence, without considering that they despise them. Thus, Bus., shortly thereafter, Suar., in the cited place, v. Concerning this matter, Laym., qu. 4, Pal., p. 8, n. 6, Ronc., in the cited place, Spor., n. 33, Elb., n. 20, and Salm., n. 57, with Conc., Gran., etc., from D. Th., who in 2-2, quaest. 186, art. 9, ad 3, says: "It is said that someone transgresses out of contempt when..."

[*Latin ed. p. 517*]

His will recoils from being subjected to the order of the law or rule, and from this proceeds to do something against the law. However, when, conversely, for some reason, such as concupiscence or anger, one is led to do something contrary to the statutes of the law, he does not sin out of contempt. Therefore, if he who transgresses the law because of concupiscence does not sin out of contempt, neither does he sin who neglects to receive confirmation, lest he suffer some inconvenience, shame, or the like. This is clearly confirmed in the Roman Catechism, section 16, where, speaking of this sacrament, he distinguishes negligence from contempt, saying: "It often happens that the faithful, when receiving this sacrament, use a certain dissolute negligence and delay; for concerning those who have arrived at the degree of impiety, so that they dare to despise and reject it, there is nothing to say, etc." It is certainly not to be denied, along with Suarez, Paley, Layman, Salm, and others (contrary to some), that such negligence is at least a venial sin, since it is a certain spiritual extravagance. However, after I have written these things, I find that Benedict XIV declared in the bull *Etsi pastoralis* (see in the collection of bulls, volume 1, bull 57, section 3, number 4) that all those who receive confirmation from Greek priests are invalidly confirmed; hence, the Pope adds that they must be reminded of the grave obligation.

[*Latin ed. p. 518*]

They should, if they can, receive the Sacrament of Confirmation from bishops. Indeed, the words of the pontiff are: Those who are burdened by grave sin should be admonished by the ordinaries of the places to approach the Sacrament of Confirmation if they are able, and to refrain from refusing and neglecting it. Therefore, the second opinion mentioned above, that the faithful should not be considered to be burdened by a mortal sin for failing to receive Confirmation, does not seem sufficiently probable today.

3. The precept given in the Council of Trent, Session 23, Chapter 4, concerning reforms, does not bind all, because it is hypothetical, but only those who are to be ordained or initiated with the first tonsure. That the omission of this is not a mortal sin is taught by Henr., Valent., Suar. d. 38. p. 1, and Nav. cap. 22, who adds that not even the bishop sins mortally by ordaining one who has not been confirmed, or if he himself has not been confirmed, by ordaining. See Reg. lib. 28. cap. 2. § 183.

Question: Is there a grave obligation to receive this Sacrament before

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receiving the first tonsure? Bon. de ordine p. 4. n. 8, Renzi ibid. tit. qu. 3, along with Tol., Fornar., and Majol. apud Dian. p. 2. tr. 16. r. 4, affirm this, based on the precept of the Council of Trent, Session 23, c. 4, where it is said: "No one shall be admitted to the first tonsure who has not received the Sacrament of Confirmation." And in confirmation of this precept, Renzius, in the aforementioned passage, refers to a certain declaration of the Sacred Congregation of the Council, dated September 27, 1621.

[*Latin ed. p. 519*]

Nicholas, when it was stated that those who have received the first tonsure or orders without confirmation, being considered insufficiently prepared, cannot ascend to those orders nor receive benefices without an apostolic dispensation. However, others commonly deny that the aforementioned words of the Council impose a grave obligation. Thus, Navarrus, in *Manual*, chapter 22, number 9, section 5, says: "He sins who does not obtain confirmation before every ordination; however, he incurs no censure, either because the negligence in this omission is not mortal, or because it is not strictly required." Sotinus also holds this view, in *Disputationes*, 24, question 1, article 4; Suarez, in *Disputationes*, 38, section 1; Navarrus, in the aforementioned passage; Palotti, in *De Conciliis*, page 8, number 6; Escobar, *ibid*, 3, number 193; Salmeron, chapter 4, number 63; Tamini, chapter 3, section 4, number 4; and Dionysius, in the aforementioned place, with Azorinus, Vallius, Avila, and Conciliarius, all hold the same opinion. The learned Gabass also expresses this view, in book 3, chapter 3, number 10, with the common opinion, adding Suarez, Navarrus, Victorinus, etc. They extend this doctrine even to the collation of orders. And Navarrus, in the aforementioned place, and Layman, chapter 5, number 4, regarding the bishop administering, say the same. The reason is, either because the words of the Council contain only a warning, since the words of the imperative mood do not, by themselves, imply a precept, as Cajetan, Navarrus, Sarius, and Sayrarius state, citing the *Glossa* on the chapter concerning prescriptions, and *Doctor Thomae*, 2-2, question 168, article 9, ad 2, which says: "Nor in ecclesiastical law..."

[*Latin ed. p. 520*]

All ordinations are binding under mortal sin; either because the words of the Council of Trent do not contain a strict precept, either because this is not considered a matter of grave importance, or because the precept has been interpreted in such a way by custom. However, the aforementioned Fathers rightly say that this cannot be excused from venial sin (contrary to Holzm. vol. 2, p. 45, n. 518; Gran. d. 1, n. 9; and Tamb. loc. cit. n. 5, who acknowledge no fault in this matter), at least because of some irregularity that might occur in such an omission.

184. "Response: The following should be known concerning the cere-

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monies of Confirmation. 1. Although the rites prescribed in the Pontifical must be observed, and a bishop sins gravely if he confirms without the *pluviale*, mitre, or stole, just as he sins if he confers the sacred orders with only the vestments of the Mass (Dian. p. 7, vol. 10, r. 31); nevertheless, not every omission will always be a matter of mortal sin, for example, the *alapae* or wax. It can, however, be conferred in any suitable place, even outside the church, and by someone who is not fasting, at any time of the year."

Note: 1.º Regarding the vestments of the bishop who ministers, the Roman Pontifical prescribes that the bishop should be clothed in an amice over the rochet or *superpelliceum*, if he is a religious, and a stole, a white *pluviale*, a mitre, and a crozier. However, Villal. says in Dian. p. 7, vol. 11, r. 31, that a bishop who would confirm without vestments would only sin venially.

[*Latin ed. p. 521*]

Concerning the sacred vestments, some say that this is an accidental ceremony. But it is more accurate, as Dian. *ib.* and Tamb. de confir. §. 2. n. 4., Spor. t. 3. page 217. n. 43., and Renzi qu. 3. state, that it is a mortal sin to omit all of the aforementioned vestments, since they pertain to the reverence of the sacrament; otherwise, if only something is omitted, because that does not seem to be a matter of grave importance, and thus Bus. should be understood in accordance with the teaching of Dian. It should be noted, however, concerning the crozier, that it suffices if the crozier remains publicly displayed or is held by a cleric, as is indicated by the depiction in the pontifical. Furthermore, the Sacred Congregation for the Propagation of the Faith, on December 7, 1726, as cited by Pittoni de sacr. ritib. t. 1. n. 532, declared that it suffices if the bishop, without the mitre, but wearing only the stole, confers the sacrament. It should be noted 2. concerning the ceremonies of the pall and the censer, that the omission of the pall, provided that scandal is avoided, is never a mortal sin, as rightly stated by Suar. d. 37. sect. 1., Bon. p. 4. n. 9., and Barb., Gran., Led. and others, apud Salm. c. 4. n. 41. However, Led. and Sa *ib.* absolutely deny that the omission of the censer can ever be a mortal sin, since this ceremony is found to be of the least importance in the pontifical, but is introduced only by custom. It should be noted 3. concerning the location, that it is not necessarily mortal to [omit something].

[*Latin ed. p. 522*]

To confer the Sacrament of Confirmation outside the Church; but this is contrary to the common opinion. Others, as Bus and Dicast. apud Croix, n. 289, say that it is entirely free from fault, provided that the Sacrament be administered in a fitting place. But more commonly, Bon. and Croix, *loc. cit.*, and Salm., cap. 4, n. 32, with Conc. and Præp., hold that this is venial

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sin; which I believe to be truer, unless some excusing cause intervenes, according to what is stated in the pontifical rubric, where it is said: "This Sacrament may be conferred less solemnly on any day, hour, and place, by reason of necessity, at the discretion of the bishop." However, Pal., p. 10, n. 6, probably says that it is always licit for the bishop to confer the Sacrament in his domestic oratory. 4th. Regarding fasting, it is permitted, as stated in cap. *Ut jejuni*, dist. 5, *de consecr.*, that those who are to receive Confirmation should fast, and in the Roman pontifical it is said: "Those who are to be confirmed ought to be fasting"; however, Salm., n. 33, and Croix, *loc. cit.*, say that this is merely a matter of counsel. But they say better, *ibid.* Av. and Gob. and Cabass., lib. 3, cap. 3, n. 2, and Reinzi, qu. 4, that the custom has long prevailed that this Sacrament may be conferred even after dinner. Thus, likewise, the Sacrament of Confirmation may be conferred on any day, as stated by Suar., d. 37, sect. 2, and Salm., n. 34, with Gran. and Bus., *supra*, and this custom is testified by Croix, *loc. cit.*, 185. 2nd. Under grave fault, as taught by Nav.

[*Latin ed. p. 523*]

c. 32. Generally speaking, a godfather is required, and only one (although the Council of Trent allows for two); and if he is not confirmed, he sins gravely, according to the common opinion. However, Escobar, citing from the Council, teaches that it is not a mortal sin; which Quintan, volume 2, section 7, suggests is probable. Indeed, it is no sin at all, if it is done out of necessity, and does not involve any kinship, as Sanch. and Suar. argue against Silvest., Sa, and others. 1. Therefore, a godfather is required, and indeed under a serious obligation, as Bus. and Holzm., volume 2, page 46, number 222, state, citing from chapter 2 and 6 of cause 30, question 1. The godfather for confirmation is to be designated by the parents, or by the bishop in their absence: Croix, number 397, with Gob. (this is to be understood if a child is to be confirmed). Holzm., with Gob. and Ills., states that confirmation could licitly be conferred without a godfather, in the case where one could not be found. 2. It is required that the godfather be one, as is held with Bus. and Salm., number 50, citing from Pal., Bon., and Reb.; for it is so prescribed in the final chapter of "de cognatione spirituali," section 6, where it is said: "No more than one or one should approach to receive the sacrament of baptism..." The same judgment is to be held regarding confirmation. Although the Council of Trent allows for two in baptism, since it makes no provision for confirmation, the ancient law must be followed. 3. It is required that this godfather be...

[*Latin ed. p. 524*]

Confirmed, according to the precept found in c. In baptismate, 102, dist. 4, de consecr., where it is written: "In baptism or in chrism, one cannot receive another as a godchild who is not himself baptized or confirmed."

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And in the Roman Pontifical, it is stated: "No one who is not confirmed can be a godfather in confirmation." 186. However, a doubt arises: 1. Whether one who is not confirmed commits a grave sin by acting as a godfather. Bus. states that Escobara denies it to be mortal; but he is mistaken, for this author, in the treatise on confirmation, n. 133, expressly teaches the opposite, because such a godfather would violate a precept of the Church in a serious matter; and this is to be held, as asserted by the same Bus., with the Council, page 229, n. 3, and the common opinion. A second doubt arises: 2. Whether a godfather who is not confirmed incurs a spiritual relationship. The first opinion affirms this, and this is held by the Council in the aforementioned passage, Soto in 4th part, 42nd question, 1st article, 3rd point, and Navar, Taborda, Manrique, and Lopez, apud Sanchez, de matrimonio, book 7, chapter 60, n. 19; also, Salmeron, Paludanus, etc., apud Salmeron, de confirmatione, chapter 4, n. 47, who consider it probable, as also Croix believes, book 6, page 1, n. 400. The reason is, because (as they say), "tō" in the cited chapter 102, mentioned above, does not, by itself and properly, denote the invalidity of the act, but only a prohibition; or (as Surdicus and Barbatus say, apud Escobara, n. 151), because the word "cannot" sometimes means the same as "does not befit" or "is not expedient," according to Nepos, in his treatises on significant words.

[*Latin ed. p. 525*]

The second opinion, which is held by the Glossa in Deuteronomy, chapter 102; by Suarez, question 72, article 10; by Tollet, book 2, chapter 24, paragraph 11; by Bona, on Matrimony, question 3, page 5, paragraph 2, number 20; and by Renzi, on Confirmation, question 9, who cites the declaration of the Sacred Council of June 13, 1654, as found in Joseph de Jan, states that the one who receives Confirmation is not thereby bound by a spiritual relationship. Sanchez, in the aforementioned work, number 20, along with Anglerius, Visconti, Henry, Leodatus, Palatium, and others, hold this opinion as more probable. The reason is twofold: first, because the word cannot render an action entirely null, as Sanchez himself demonstrates in book 6, chapter 38, number 20; and second, just as the godfather does not incur a spiritual bond when he is not baptized, so neither does the one who is not confirmed incur a spiritual bond in Confirmation. Both opinions are probable; however, the second is more probable, at least because it is supported by the authority of the Sacred Council's declaration.

Furthermore, the godfather must be different from the godfather of baptism (as stated by Salmeron, number 49, with Layman, Palatium, Bona, and the common opinion). However, Croix, number 398, along with Sylvaticus and the Council of Cologne, make an exception unless there is some reason to the contrary. The godfather, moreover, must be of the same sex as the one being confirmed, according to the custom of the Church and the Roman pontifical rite (as stated by Croix, ibid., with Avila). Although Bona and

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Hurtado deny this, Quintilla, volume 2, sections 7 and 14, state that one does not necessarily sin mortally by acting otherwise.

[*Latin ed. p. 526*]

Let him say so. p. 3, t. 4, r. 21: and not a monk (unless he has become a bishop): nevertheless, Quintilian teaches that both monks and nuns can be admitted without fault, in the aforementioned passage, section 18, unless it is prohibited in their religious order. However, the Council and others, along with Quintilian, p. 9, t. 6, r. 32, note that mendicants are not to be excluded by this. Nor does it matter, if custom dictates, whether the person is male or female. Furthermore, it does not obligate the one administering confirmation to instruct the confirmed (as Salm. also states, n. 51, with Laym., Pal., Bon., and Henr.; Av. and the Council of Cologne are excepted, apud Croix, n. 397, in fine, if the confirmed has not been instructed, and another is absent), but only establishes a spiritual connection with him and his parents, provided that he is touched [by the bishop]. Whatever Quintilian may say, apud Bus., the opinion of Salm., c. 4, n. 48, Sanch., Bon., Led., and the commentary apud Spor., i. 3, p. 218, n. 47, is more likely to be true. For in c. Monach. 104, dist. 4, de consecr. universe, it is said: "Monks should not administer to their own brothers or sisters." However, 1.º Spor., in the aforementioned passage, and Pal., Barb., Gob., etc., apud Croix, n. 397, are excepted, if the one to be confirmed is also a religious. 2.º Suar., Dicast., etc., apud Croix, ibid., are excepted, if the religious is a mendicant; but this exception is not admitted by the Council, p. 229, n. 3. Regarding the manner of receiving the sacrament of Confirmation, the Roman Pontifical prescribes that...

[*Latin ed. p. 527*]

The one being confirmed shall place his foot upon the right foot of the godfather; but the Council correctly states on page 229, number 3, at the end, that it is now customary for the godfather to place his right hand upon the right shoulder of the one being confirmed, and this custom, as testified by the Council, has been approved by the Sacred Congregation of Rites on September 20, 1749, number 188, section 3. The seal of confirmation is to be a band marked with a cross, which is to be worn for one, three, or seven days, according to custom, and during this time the seal should be kept on. (But today, due to disuse, this ceremony is no longer in practice in our regions, since the seal of confirmation is immediately wiped off after the unction and then removed.) It is also permissible, if there is a reason, to remove it immediately and wash the seal; however, it must be either burned or kept with reverence, and not used for profane purposes, because of the bond of the chrism. He who dissolves it does not incur any obligation of kinship. See the proposition in the third part, question 3, article 12. 4. Parish priests are to record in the book the names of those who have received the

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sacrament of confirmation and their godfathers in their parish (and this care also pertains to the bishops), both for the sake of knowing the spiritual relationship and for the purpose of receiving the orders. This is taught by Quintan, volume 2, section 11, citing Barb. et al.; and finally, it is permissible to change the name at the time of confirmation. Ibid., section 10.

[*Latin ed. p. 528*]

Finally, it must be noted, for the completion of this matter, that the common blessing given by the bishop to those confirmed *in fine* is not necessary for the sacrament itself, but is a simple ceremony, as the Doctors commonly say, as in Croix, *lib.* 6, p. 1, n. 400. Hence, Tamborini, in *de confirmat.*, ch. 2, § 2, n. 9, states that the admonition given, that those confirmed should not depart before the blessing is given, does not seem to be obligatory. Indeed, Layman, *l.* 5, ch. 7, n. 2, Palearius, *tr.* 20, q. 10, n. 12, and Tamborini, in the aforementioned place, say that when there is a large gathering, that admonition may be omitted, so that room may be made for others; and Croix, in the aforementioned place, testifies to this practice. *VOLUMINIS OCTAVI FINIS*.

[*Latin ed. p. 529*]

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